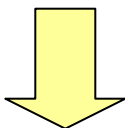


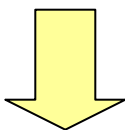
**ACOSO CIVIL**  
**(INSTRUCCIONES PARA EL DEMANDANTE “PLAINTIFF”)**

**5 PASOS:**

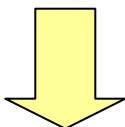
**PASO 1. COMPLETE LOS FORMULARIOS.**



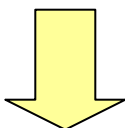
**PASO 2. PROCESAR LOS FORMULARIOS.**



**PASO 3. ENTREGA DE LOS DOCUMENTOS.**



**PASO 4. RADICAR LA PRUEBA DE ENTREGA.**



**PASO 5. COMPARECENCIA JUDICIAL.**

# ACOSO CIVIL

## (INSTRUCCIONES PARA EL DEMANDANTE “PLAINTIFF”- CONTINUACION)

### PASO 1. COMPLETE LOS FORMULARIOS.

#### LOS FORMULARIOS QUE SE REQUIEREN

Formulario CH-100, **Petition for Injunction Prohibiting Harassment** (4 pages) (**Petición Para El Mandato Prohibiendo Acoso**) (4 paginas)

Formulario CH-120, **Order to Show Cause and Temporary Restraining Order** (3 pages) **Auto De Mérito Y Orden Inhibitoria Provisional** (3 paginas)

Formulario CH-110, **Response to Petition for Injunction Prohibiting Harassment** (2 pages) **Contestación A La Petición Para El Mandato De Prohibir Acoso** (2 paginas)

(Deje este formulario en blanco – es para ser notificado al demandado “defendant”)

Formulario CH-140 **Order After Hearing on Petition for Injunction Prohibiting Harassment** (3 pages) , **Orden Despues De La Audencia De Peticion De Mandato Prohibiendo El Acoso** (3 paginas)

Formulario CH-130, **Proof of Personal Service (Harassment)** (1 page) **Prueba De Entrega via un Tercero (Acoso)** (1 pagina)

Formulario CH-150, **Instructions for Lawsuits to Prohibit Harassment** (7 pages) **Instrucciones De Litigio Para Prohibir Acoso** (7 paginas)

(Este formulario tiene instrucciones solamente y no necesita que ser llenado.)

Si esta solicitando esta Orden de Prohibicion por asalto sexual o acoso, puede ser que el Alguacil le entregue su orden gratis. Si es asi, llene el siguiente formulario;

☐ Formulario CH-101 **Request and Order for Free Service of Restraining Order (Solicitud y Orden Para Servicio Gratis del Orden de Prohibicion)**

Estos formularios deben ser llenados a máquina o con letra de molde con **tinta negra**.

# ACOSO CIVIL

## (INSTRUCCIONES PARA EL DEMANDANTE “PLAINTIFF”- CONTINUACION)

### PASO 2. PROCESAR LOS FORMULARIOS.

#### MAKE COPIES OF ALL FORMS; HAGA COPIAS DE TODOS ESTOS FORMULARIOS:

Usted va a necesitar los **originales y por lo menos cuatro (3) copias de cada formulario del Acoso:**

- Una copia para ficha de trabajo
- El original para procesarlo con el tribunal
- Una copia para que se entregue al demandado “Defendant” personalmente
- Dos copias extra para usted

Además, usted va a necesitar **una copia extra de los siguientes formularios para cada agencia de la ley** para que su orden sea notarizada:

Formulario CH-120, (**Order to Show Cause and Temporary Restraining Order**) **Auto De Mérito Y Orden Restriccion Temporal**

Formulario CH-140, (**Order After Hearing on Petition for Injunction Prohibiting Harassment**) **Orden Despues De La Audencia De Peticion De Mandato Prohibiendo El Acoso**

Formulario CH-130, **Proof of Personal Service (Harassment) Prueba De Entrega via un Tercero (Acoso)**

#### PRESENTE LOS FORMULARIOS AL ACTUARIO:

Lleve todos los formularios completos y copias a la oficina de Oficiales a la Corte Superior para que sean procesados.

El(La) actuario le sellara todos los papeles con su numero de causa. La Petición sera sellada-aceptada “Endorsed-Filed” (enseñando la fecha en que fue procesada).

El(La) acturia le enviara la orden de Establecer motivo y una copia de la Petición al juez para que sea firmada. Por lo general esto dura 24 horas. Usted necesitara regresar a la oficina de Actuarios para recoger la copias confirmadas de la Orden de Establecer motivo.

El(La) actuario procesara la Orden de Establecer motivo y le dara las copias. **DEJE DOS COPIAS ARCHIVADAS DE APOYO PARA USTED MISMA(O):** cargue una con usted y la otra dejela en un lugar seguro. Usted puede necesitar una si le habla al policia.

# ACOSO CIVIL

## (INSTRUCCIONES PARA EL DEMANDANTE “PLAINTIFF”- CONTINUACION)

### PASO 3. ENTREGA DE LOS DOCUMENTOS.

#### ENTREGAR AL DEMANDANDO “DEFENDANT” CON ESTOS FORMULARIOS:

El demandado debe ser notificado personalmente **por lo menos cinco** días antes de la audiencia, al menos que el juez decida acortar el tiempo. El notificador debe entregar al demandado “Defendant” con una copia sellada-aceptada de cada uno de los tres (3) formularios y el Formulario CH-150:

Form CH-100 **Petition for Injunction Prohibiting Harassment, (Petición Para Mandato Prohibiendo Acoso)**

Form CH-120, **Order to Show Cause and Temporary Restraining Order (Auto De Mérito Y Orden Prohibicion Temporal)**

Form CH-110, **Response to Petition for Injunction Prohibiting Harassment (Contestación A La Petición Para El Mandato De Prohibir Acoso)**

(Deje el formulario CH-110 en blanco para que el demandado “defendant” lo llene.)

y tambien

- ☐ Formulario CH-150 **Instructions for Lawsuits to Prohibit Harassment (Instrucciones de Litigio Para Prohibir el Acoso)**

\*\* Si lo solicito, y se le concedio servicio gratis de la Orden de Prohibicion, lleve una copia firmada del CH-101, Solicitud y Orden Para Servicio Gratis de la Orden de Prohibicion, con los documentos anotados al la Oficina del Sheriff para que se entreguen.

**Nota: estos formularios deben ser entregados al demandando pero no por usted si no por alguien mayor de 18 años y que no este involucrada(o) con esta accion (ejemplo: vecino, el notificador, sheriff, etc.)**

## **ENTREGA DE UNA ORDEN DE RESTRICCIÓN TEMPORAL A LAS AGENCIAS DE LA LEY:**

Si usted la solicitó, y el(a) juez le dio su solicitud de la Orden de Prohibición Temporal, enseguida mande una copia sellada y que este archivada a cada agencia de la ley (policía, mariscal o a la oficina de alguacil “sheriff”) en donde quiere hacer entrar en vigor.

## **EL NOTIFICADOR TIENE QUE LLENAR EL FORMULARIO PRUEBA DE ENTREGA:**

La persona quien entrega los documentos tiene que llenar y firmar el formulario Prueba de Entrega, y nombrar cada documento que fue entregado (incluyendo formularios que se dejaron en blanco):

Form CH-130, **Proof of Personal Service (Harassment) Prueba de Entrega Personal (Acoso)**

## **ACOSO CIVIL**

### **(INSTRUCCIONES PARA EL DEMANDANTE “PLAINTIFF”- CONTINUACION)**

#### **PASO 4. RADICAR LA PRUEBA DE ENTREGA.**

Lleve el original y las copias firmados del formulario CH-130, “*Proof of Personal Service*”

Comprobante de Entrega Personal(*Acoso*), al actuario.

El actuario procesara el original y en las copias sellara-aceptada “Endorsed-Filed” .

Lleve una de las copias que dice “Endorsed-Filed”(sellada-aceptada) a cada agencia de la ley en donde usted promovio la Orden de Prohibicion Temporal.

Quedese con dos copias que digan “Endorsed-Filed”(Sellada y aceptada) para usted misma(o).

#### **PASO 5. COMPARECENCIA JUDICIAL.**

**El(La) Juez firma la Orden** (Formulario CH-140, “*Order After Hearing on Petition for Injunction Prohibiting Harassment*”) *Orden Despues de la Audencia de Peticion de Mandato Prohibiendo Acoso:*

Archive el original con el(a) actuaria y las copias llevaran el sello que dice “Endorsed-Filed.”

Inmediatamente entregue una copia que dice “Endorsed-Filed” a cada una de las agencias de de la ley.

**Si el demandado no estuvo presente en el tribunal para la audiencia:**

Haga un arreglo para que el demanado se le entregue personalmente con una copia de la Orden (Formulario CH-140 “*Order After Hearing on Petition for Injunction Prohibiting Harassment*” . , (*Orden Despues de la Audencia de Peticion del Mandato Prohibiendo Acoso*)

Archive el formulario completo de Prueba de Entrega Personal con el(a) actuaria y las copias selladas que dice “Endorsed-Filed.”

Lleve una de las copias que dice “Endorsed-Filed” a cada una de las agencias de la ley.

Deje dos copias que digan “Endorsed-Filed” para usted misma(o): cargue una copia con usted y mantenga otra en un lugar seguro.

## Como rellenar

# ORDEN PARA ESTABLECER MOTIVO Y ORDEN DE RESTRICCION TEMPORAL (CH-120)

## INSTRUCCIONES:

- Encuentre el número en el formulario de muestra. *Ejemplo: ❶*
- Encuentre el número correspondiente abajo y siga las instrucciones.
- Escriba a máquina o en letra de molde con tinta negra.
- Si conoce el número del caso (CASE NUMBER) escríbalo o de no saberlo, déjelo en blanco.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and state bar number, if attorney)		CH-120				
ADDRESS WHERE YOU WANT MAIL SENT:  TELEPHONE NO. (Optional): <span style="border: 1px solid black; border-radius: 50%; padding: 2px 5px;">❶</span> E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FOR COURT USE ONLY				
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: PLAINTIFF: <span style="border: 1px solid black; border-radius: 50%; padding: 2px 5px;">❷</span>						
DEFENDANT: <span style="border: 1px solid black; border-radius: 50%; padding: 2px 5px;">❸</span>						
<div style="display: flex; align-items: center;"> <span style="border: 1px solid black; border-radius: 50%; padding: 2px 5px; margin-right: 5px;">❹</span> <div>             ORDER TO SHOW CAUSE (Civil Harassment)  <input type="checkbox"/> and Temporary Restraining Order (CLETS)           </div> </div>						
THIS ORDER SHALL EXPIRE AT THE DATE AND TIME OF THE HEARING SHOWN IN THE BOX BELOW UNLESS EXTENDED BY THE COURT. <span style="border: 1px solid black; border-radius: 50%; padding: 2px 5px; float: right;">❺</span>		CASE NUMBER:  Judge: Dept.:				
<div style="display: flex;"> <div style="width: 5%; text-align: center; font-weight: bold;">❻</div> <div>             1. To defendant (name):              A court hearing has been set at the time and place indicated below:  <table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"> <tr> <td>Date:</td> <td>Time:</td> <td>Dept.:</td> <td>Room:</td> </tr> </table> </div> </div>			Date:	Time:	Dept.:	Room:
Date:	Time:	Dept.:	Room:			
<div style="display: flex;"> <div style="width: 5%; text-align: center; font-weight: bold;">❼</div> <div>             3. You have the right to attend the court hearing, with or without an attorney, to give any legal reason why the orders requested in the attached petition should not be granted. NOTICE: If you do not attend the hearing, the court may grant the requested orders without further notice to you. Restraining Orders may last up to 3 years.           </div> </div>						
TEMPORARY RESTRAINING ORDER						
<div style="display: flex;"> <div style="width: 5%; text-align: center; font-weight: bold;">❼</div> <div>             THE COURT FINDS              The defendant is (name):              Sex: <input type="checkbox"/> M <input type="checkbox"/> F Ht: ____ Wt: ____ Hair Color: ____ Eye Color: ____ Race: ____ Age: ____ Date of Birth: ____           </div> </div>						
<div style="display: flex;"> <div style="width: 5%; text-align: center; font-weight: bold;">❽</div> <div>             The protected person is (name):              Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of Birth (optional): ____           </div> </div>						
c. Protected family or household members who reside with the protected person:						
<div style="display: flex;"> <div style="width: 5%; text-align: center; font-weight: bold;">❾</div> <div>             (1) (Name):              Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of Birth (optional): ____           </div> </div>						
<div style="display: flex;"> <div style="width: 5%; text-align: center; font-weight: bold;">❽</div> <div>             (2) (Name):              Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of Birth (optional): ____           </div> </div>						
<div style="display: flex;"> <div style="width: 5%; text-align: center; font-weight: bold;">❽</div> <div>             (3) (Name):              Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of Birth (optional): ____           </div> </div>						
<input type="checkbox"/> Additional protected persons are listed on a separate page designated as Attachment 4c.						
Form Adopted for Mandatory Use Judicial Council of California CH-120 (Rev. January 1, 2004)		Page 1 of 3 Code of Civil Procedure, § 527.5, Penal Code, § 273.5(a)				

- ❶ Escriba su nombre. No tiene que dar su dirección, sí teme ser acosado; puede dar otra dirección donde pueda recibir correspondencia. También puede poner su teléfono, fax o correo electrónico, (opcional).
- ❷ Sí no está completado, escriba “Fresno” después de COUNTY OF. La dirección es: 1100 Van Ness Ave., Fresno, CA 93724-0002. Junto a Branch Name escriba: Central Branch.
- ❸ Escriba su nombre después de “Plaintiff”. Escriba el nombre de la persona que lo acosa después de “Defendant”.
- ❹ Marque el cuadro solicitando una Orden de Restricción Temporal “Temporary Restraining Order”.
- ❺ Escriba el nombre de la persona que lo acosa (Defendant) y contra la que quiere que se dirija la orden de restricción.
- ❻ No escriba nada en este espacio. El Actuario de la Corte lo llenará después de que el Juez firme la orden.
- ❼ Escriba el nombre del acosador donde dice “Name.” Marque “M” si es un hombre, o “F” si es una mujer. Complete la otra información: Ht (altura), Wt (peso), Hair color (color del cabello), Eye color (color de los ojos), Race (raza) (A=Africano-Americano, C=Caucasiano, H=Hispanico, O=Otras), Age (edad), y Date of Birth (Fecha de nacimiento). Usted DEBE ESCRIBIR la fecha de nacimiento correcta del demandado.
- ❽ Escriba su nombre donde dice “Name.”. Marque “M” si es un hombre, o “F” si es una mujer. Escriba su fecha de nacimiento donde dice “Date of Birth”.
- ❾ Escriba el nombre de cada persona que vive con usted y quiere proteger del Demandante incluyase asimismo (o) si así lo desea. Marque el cuadro “M” si es hombre o “F” si es mujer. Escriba la fecha de nacimiento donde dice “Date of birth.” Escriba la información de cada persona individualmente en el espacio que se le provee en “c”(1); “c”(2) and “c”(3). Si hay más de tres personas quien quiere proteger del Demandado, marque el cuadro “Continued on Attachment 4c” y continúe en el formulario “Attachment 4c.”

# ORDEN PARA ESTABLECER MOTIVO Y ORDEN DE RESTRICCION TEMPORAL (CH-120)

Segunda Pagina

## INSTRUCCIONES:

- Encuentre el número en el formulario de muestra. *Ejemplo:* 10
- Encuentre el número correspondiente abajo y siga las instrucciones.
- Escriba a máquina o en letra de molde con tinta negra.
- Si conoce el número del caso (CASE NUMBER) escríbalo o de no saberlo, déjelo en blanco.

10	Plaintiff (Name) Defendant (Name)	CASE NUMBER
11	<p>5. UNTIL THE TIME OF HEARING, THE COURT ORDERS that the restrained person must not do the following things to the protected person <input type="checkbox"/> and to the other protected persons listed in Item 4c:</p> <p><input type="checkbox"/> harass, molest, attack, strike, threaten, sexually assault, batter, follow, stalk, destroy the personal property of, disturb the peace of, keep under surveillance, or block movements in public places or thoroughfares.</p> <p><input type="checkbox"/> contact, telephone, or communicate by any means (including mail, fax, or e-mail) <input type="checkbox"/> except for peaceful written contact through a process server or other person for legal papers related to a court case.</p>	
12	<p>6. UNTIL THE TIME OF THE HEARING, THE COURT ORDERS that the restrained person must stay at least (specify): _____ yards away from the following protected persons and places.</p> <p>(The addresses of these places are optional; you do not have to provide them.)</p> <p>(1) <input type="checkbox"/> Person seeking the order</p> <p>(2) <input type="checkbox"/> The other persons listed in Item 4c</p> <p>(3) <input type="checkbox"/> Residence of person seeking the order</p> <p>(4) <input type="checkbox"/> Place of work of person seeking the order</p> <p>(5) <input type="checkbox"/> The children's school or place of child care</p> <p>(6) <input type="checkbox"/> The protected persons' vehicles</p> <p>(7) <input type="checkbox"/> Other (specify): _____</p>	
13	<p>7. <input type="checkbox"/> OTHER ORDERS (specify): _____</p>	
13	<p>9. MANDATORY FIREARM RELINQUISHMENT</p> <p>The restrained person must surrender to local law enforcement or sell to a licensed gun dealer any firearm in or subject to his or her immediate possession or control within</p> <p><input type="checkbox"/> 24 hours after issuance of this order (if restrained person is present at hearing);</p> <p><input type="checkbox"/> 48 hours after service of this order (if restrained person is not present at hearing);</p> <p>other (specify): _____</p> <p>The restrained person shall file a receipt with the court showing compliance with this order within 72 hours of receiving this order.</p>	
14	<p>10. SERVICE OF ORDER ON LAW ENFORCEMENT</p> <p>By the close of business on the date of this order, a copy of this order and any proof of service shall be delivered to the law enforcement agencies listed below by:</p> <p>a. <input type="checkbox"/> plaintiff</p> <p>b. <input type="checkbox"/> plaintiff's attorney:</p> <p>Law Enforcement Agency _____ Address _____</p>	

CH-120 (Rev. January 1, 2008) ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER (CLOTS) (Civil Harassment) Page 2 of 3

- 10 Escriba su nombre junto a "Plaintiff" Demandante, escriba el nombre del demandado
- 11 Marque el cuadro 'and to other protected persons...' si nombro otros individuos que quiere que sean protegidos del Demandado.
  - Marque cuadro 5 "a".
  - Marque cuadro 5 "b" si no quiere tener comunicacion telefonica con el procesado.
  - Marque el segundo cuadro para el numero 5., si esta dispuesto(a) a aceptar comunicaciones escritas,
- 12 Para numero 6., al fin de la oracion 'UNTIL THE TIME OF THE HEARING...' escriba el numero de yardas de distancia que el demandado debe permanecer (por lo general mucha gente escoge 100 yardas) ;luego marque cualquier cuadro que sea aplicable ;
  - Puede escribir la direccion de cada sitio en que la Orden de Resticcion sera vigente pero no es necesario.
  - Marque 'other' si hay otro sitio, no anotado, al cual se le ordena al demandado no aparecer.

(Para el cuadro al lado de numero 7, marque si hay ordenes adicionales que quiere que de el Juez)
- 13 Si usted cree que el Demandado tiene armas de fuego y quiere que el juez ordene que se las quiten de la posesión del demandado, marque una de los siguientes cuadros:
  - El cuadro "a" 24 horas despues de la expedición de la orden (si el Demandado no se presento a la audiencia)
  - El cuadro "b" 24 horas despues de la entrega de la orden (si el Demandado no se presento a la audiencia)
  - El cuadro "c" otra cosa y especifique.
- 14 Marque el cuadro 9 "c" y debajo escriba el nombre de la Agencia Poliziaca que usted quiere que tenga una copia de esta orden de restrincion. Debe de incluir: Fresno County Sheriffs Department, 2200 Fresno Street, Fresno, California 93721. Si usted vive en Clovis o una de las areas alrededor, tambien va incluir el Departamento de Policia de esa area.



## Como llenar una

# ORDEN PARA ESTABLECER MOTIVO Y ORDEN DE RESTRICCION TEMPORAL (CH-120)

## Tercera pagina

## INSTRUCCIONES

- ▶ Encuentre el número en el formulario de muestra. *Ejemplo:* **18**
- ▶ Encuentre el número correspondiente abajo y siga las instrucciones.
- ▶ Escriba a máquina o en letra de molde con tinta negra.
- ▶ Si conoce el número del caso (CASE NUMBER) escríbalo o de no saberlo, déjelo en blanco.

PLAINTIFF (Name)	<b>15</b>	CASE NUMBER
DEFENDANT (Name)		

**10. SERVICE ON DEFENDANT**

a. The following documents **must be personally served** on the defendant:

- (1) Order to Show Cause and Temporary Restraining Order (Harassment) (form CH-120)
- (2) Petition for Injunction Prohibiting Civil Harassment (form CH-100)
- (3) Blank Response to Petition for Injunction Prohibiting Harassment (form CH-110)
- (4) Instructions for Lawsuits to Prohibit Harassment (form CH-150)
- (5) Other (specify):

b. Proof of service of the documents must be served and filed with the court before the hearing.

**11. ORDER SHORTENING TIME**

☐ Application for an order shortening time is granted and the documents listed in item 9 must be **personally served** on the defendant no fewer than (specify number): \_\_\_\_\_ days before the time set for hearing.

**12. NO FEE FOR FILING**

☐ Filing fees for the filing of this action are waived under Code of Civil Procedure section 527.6(o).

**13. NO FEE FOR SERVICE OF ORDER**

a. ☐ The sheriff or marshal shall serve this order on the defendant without requiring plaintiff to pay any fee.

(1) ☐ Plaintiff qualifies for a fee waiver. Law enforcement shall serve the order without charging a fee.

-or-

(2) ☐ The plaintiff has not qualified for a fee waiver, but the sheriff or marshal shall serve this order without prepayment of fee under Government Code section 6103.2.

Date: \_\_\_\_\_

JUDICIAL OFFICER

This order is effective when made. It is enforceable in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, the agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this restraining order are subject to criminal penalties.

**NOTICE REGARDING FIREARMS**

Any person subject to a restraining order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000 fine and imprisonment.

**19**

**CLERK'S CERTIFICATE**

I certify that the foregoing Order to Show Cause (Civil Harassment) and Temporary Restraining Order (CLETS) (Civil Harassment) is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

CH-120 (Rev. January 1, 2004) **ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER (CLETS) (Civil Harassment)** Page 3 of 3

**15** Escriba su nombre despues de "Plaintiff" (Demandante). Escriba el nombre de la otra persona despues de "Defendant" (Demandado).

**16** Estos formularios anotados se requieren ser entregadoas al Demandado, si esta entregando formularios adicionales, anote los al lado de '5' 'Other'.

- 17**
- Marque la casilla "a" si usted quiere una cita mas pronto para la audiencia. Su informacion debe ser suficientemente serio para apoyar lo que esta solicitando.
  - Si usted pide una cita mas pronto, marque la casilla "b". Los formularios que se requiere que se le entreguen al Demandado estan escritos en el #9 b. del (1) al (4). Si le va entregar papeles adicionales escribalos debajo del (5) "Other" (otro) y especifique.

**18** Si usted lleno el formulario "Fee Waiver" (Renuncia de cobros y gastos) marque esta casilla.

**19** No llene esta parte. El Juez lo firmara y fechara el formulario aqui.

**"CLERKS CERTIFICATE"** No llene esta parte. El funcionario lo completara.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and State Bar number, if attorney): ADDRESS WHERE YOU WANT MAIL SENT:		FOR COURT USE ONLY
TELEPHONE NUMBER (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FAX NUMBER (Optional):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PLAINTIFF: DEFENDANT:	CASE NUMBER: JUDGE: DEPT.:	
PETITION FOR INJUNCTION PROHIBITING CIVIL HARASSMENT <input type="checkbox"/> Application for Temporary Restraining Order		

Read the Instructions for Lawsuits to Prohibit Civil Harassment (form CH-150) before completing this form.

1. Plaintiff (name each):
- ☐ OTHER PERSONS TO BE PROTECTED (List names and ages of any family or household members who reside with plaintiff for whom protection is sought in the requested orders and their relationship to plaintiff):  
 Name Age Relationship to Plaintiff
- a. Defendant (name):  
 Sex: ☐ M ☐ F Ht.: \_\_\_\_ Wt.: \_\_\_\_ Hair Color: \_\_\_\_ Eye Color: \_\_\_\_ Race: \_\_\_\_ Age: \_\_\_\_ Date of Birth: \_\_\_\_  
 b. Defendant's residence address (if known): c. Defendant's work address and name of business (if known):
- This action is filed in this county because (check all that apply):  
 a. ☐ defendant resides in this county.  
 b. ☐ defendant has caused physical or emotional injury to plaintiff in this county.  
 c. ☐ other (specify):
- Describe whether plaintiff knows defendant and, if so, how (for example, as a landlord, tenant, neighbor, etc.):

(This is not a Court Order)

Page 1 of 4

Form Adopted for Mandatory Use  
Judicial Council of California  
CH-100 (Rev. January 1, 2004)

PETITION FOR INJUNCTION PROHIBITING CIVIL HARASSMENT

Code of Civil Procedure, § 527.6

Como llenar la

## PETICIÓN PARA UN MANDATO PROHIBIENDO EL ACOSO (CH-100)

### INSTRUCCIONES

- Encuentre el número en el formulario de muestra. Ejemplo: 1
- Encuentre el número correspondiente abajo y siga las instrucciones.
- Escriba a maquina o en letra de molde, con tinta negra.
- Si conoce el número de caso (CASE NUMBER) escríbalo o dejelo en blanco.

- 1 Escriba su nombre. Si teme ser acosado no será necesario dar su domicilio; puede dar una dirección a donde pueda recibir correspondencia. Si desea puede llenar su, número de telefónico, fax, o correo electrónico.
- 2 Escriba "Fresno" después de COUNTY OF. La dirección es: 1100 Van Ness Ave., Fresno CA 93724-0002. Junto a Branch Name escriba "Central Branch."
- 3 Usted es el "Plaintiff" (Demandante) si ha presentado la causa. El "Defendant" (Demandado) es quien le acosa. Escriba los nombres correspondientes.
- 4 Marque el cuadro si desea obtener una Orden de Restricción Temporal.
- 5 Escriba su nombre (Plaintiff) Demandante.
- 6 Marque el cuadro si desea obtener protección para; hijos u otros parientes que viven con usted. Escriba sus nombres, edades, y su parentesco (hijo, hijos, abuelo, madre, etc.) en el espacio en blanco.
- 7 Escriba el nombre del demandado aquí. Marque la "M" si el demandado es hombre o "F" si es mujer. Llene lo siguiente: Ht (estatura), Wt (peso), Hair color (pelo), Eye color (ojos), Race (Raza: A = Afroamericano, C = Angloamericano, H=Hispano, O = Demás), Age (edad), and Date of Birth (Fecha de nacimiento EXACTA.)
- 8 En la b. escriba el domicilio del demandado si lo sabe.  
En la c. escriba la dirección y el nombre del sitio de empleo del demandado si lo sabe.

Pase a la siguiente página

Como llenar la

# PETICIÓN PARA MANDATO PROHIBIENDO EL ACOSO (CH-100, continued)

## INSTRUCCIONES

- Encuentre el número en el formulario de muestra. **Ejemplo: 9**
- Encuentre el número correspondiente abajo y siga las instrucciones.
- Escriba a maquina o en molde en tinta negra.
- Si conoce el número de caso (CASE NUMBER) escríbalo o dejelo en blanco.

CH-100	
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and State Bar number, if attorney): ADDRESS WHERE YOU WANT MAIL SENT:  TELEPHONE NUMBER (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT:	CASE NUMBER:
PETITION FOR INJUNCTION PROHIBITING CIVIL HARASSMENT <input type="checkbox"/> Application for Temporary Restraining Order	
JUDGE: DEPT.:	

Read the Instructions for Lawsuits to Prohibit Civil Harassment (form CH-150) before completing this form.

1. Plaintiff (name each):

2. ☐ OTHER PERSONS TO BE PROTECTED (List names and ages of any family or household members who reside with plaintiff for whom protection is sought in the requested orders and their relationship to plaintiff):  
Name Age Relationship to Plaintiff

3. a. Defendant (name):  
Sex: ☐ M ☐ F Ht.: \_\_\_\_ Wt.: \_\_\_\_ Hair Color: \_\_\_\_ Eye Color: \_\_\_\_ Race: \_\_\_\_ Age: \_\_\_\_ Date of Birth: \_\_\_\_  
b. Defendant's residence address (if known): c. Defendant's work address and name of business (if known):

4. This action is filed in this county because (check all that apply):  
a. ☐ defendant resides in this county.  
b. ☐ defendant has caused physical or emotional injury to plaintiff in this county.  
c. ☐ other (specify):

5. Describe whether plaintiff knows defendant and, if so, how (for example, as a landlord, tenant, neighbor, etc.):

(This is not a Court Order)

Form Adopted for Mandatory Use  
Judicial Council of California  
CH-100 (Rev. January 1, 2004)

PETITION FOR INJUNCTION PROHIBITING CIVIL HARASSMENT

Page 1 of 4  
Code of Civil Procedure, § 527.6

## Continuación de la primer página

- 9** Marque el cuadro a. si el demandado vive en el Condado de Fresno.  
Marque el cuadro b. si el demandado lo a lastimado en el Condado de Fresno.  
Marque el cuadro c. si hay otro motivo por cual el condado de Fresno es el sitio adecuado para iniciar este caso. Escriba el motivo en el espacio en blanco.
- 10** Escriba si el Demandante conoce al demandado., de los detalles en el espacio en blanco.

# PETICIÓN PARA MANDATO PROBIBIENDO EL ACOSO (CH-100)

- segunda pagina-

## INSTRUCCIONES

- ▶ Encuentre el número en el formulario de muestra *Ejemplo:* 14
- ▶ Encuentre el número correspondiente abajo y siga las instrucciones.
- ▶ Escriba a maquina o en letra de molde, con tinta negra.
- ▶ Si conoce el número de caso (CASE NUMBER) escríbalo o dejelo en blanco.

PLAINTIFF (Name): <span style="border: 1px solid black; padding: 2px 10px;">11</span>	CASE NUMBER
DEFENDANT (Name):	

6. Defendant has (check all that apply):

12 ☐ a. committed acts of violence against plaintiff as described in item 8.

☐ b. threatened to commit acts of violence against plaintiff as described in item 8.

☐ c. engaged in a course of conduct directed at plaintiff as described in item 8. Plaintiff has suffered substantial emotional distress as a direct result of defendant's conduct described in item 8, and defendant's conduct would have caused a reasonable person to suffer substantial emotional distress.

13 7. Defendant's acts or conduct have seriously alarmed, annoyed, or harassed plaintiff as described in item 8, and serve no legitimate purpose.

8. DESCRIPTION OF CONDUCT

Describe in detail the harassment (including the dates, who did what to whom, and any injuries):

14

15 ☐ (If more space is needed, check the box and add additional pages as Attachment 9.)

9. ☐ Plaintiff will suffer great and irreparable harm before this petition can be heard in court, unless the court makes the temporary orders requested below (specify the harm and why it will occur before the hearing):

16

☐ (If more space is needed, check the box and add additional pages as Attachment 9.)

PLAINTIFF REQUESTS THE COURT TO MAKE THE ORDERS INDICATED BY THE CHECK MARKS IN THE BOXES BELOW.

17 10. ☐ PERSONAL CONDUCT ORDERS

Defendant must not contact, molest, harass, attack, strike, threaten, sexually assault, bother, telephone, communicate by any means (including mail, fax, or e-mail), stalk, destroy any personal property, disturb the peace, keep under surveillance, or block movements in public places or thoroughfares, or otherwise harass plaintiff. ☐ Add the other protected persons identified in item 2.

(This is not a Court Order)

CIVIL 100 (Rev. January 1, 2004) PETITION FOR INJUNCTION PROHIBITING CIVIL HARASSMENT Page 2 of 5

- 11 Escriba su nombre junto a Plaintiff. Escriba el nombre del demandado junto a Defendant.
- 12 Marque el cuadro 'a' si el demandado lo ha lastimado; marque el cuadro 'b' si el demandado le ha hecho amenazas de violencia ; marque el cuadro 'c' si el demandado le ha causado trauma emocional.
- 13 No hay nada que llenar. Lea las oraciones de numero 7, 8 y 9. Estas son las razones por las cuales necesita protección del demandado.
- 14 Escriba todas las veces que el demandado lo ha acosado. Comensando con la ultima vez que el demandado lo ha acosado. Escriba la fechas, número de informe policiaco, lo que el demandado le hizo a usted u otros y si alguien fue lesionado. Es importantísimo anotar TODAS las instancias de acoso para mostrar un patrón de comportamiento.
- 15 Marque el cuadro si necesita mas espacio para anotar los hechos del demandado. Si utiliza otra hoja escriba "Attachment 10" en la parte superior.
- 16 Marque el cuadro si UD. Cree que el Demandado lo pueda lesionar, si no se le ordena que permanezca lejos de Ud. Hasta el momento de la audiencia. Escriba lo que Ud. Cree que le pueda pasar si el Demandado no se le ordena que permanezca lejos de Ud.  
Si necesita mas espacio, incluya otra hoja y escriba 'Attachment 9' en la parte superior.
- 17 Marque el cuadro "PERSONAL CONDUCT ORDERS" si desea que el demandado mantenga cierta distancia específica. Tambien marque el siguiente cuadro "To be ordered now and effective until the hearing" si esto comenzará ahora, marque el cuadro "and the other protected persons," nombrados en el articulo numero 2, si hay otros por cual solicito proteccion.

PLAINTIFF (Name): <span style="border: 1px solid black; border-radius: 50%; padding: 2px 5px; font-weight: bold;">18</span>	CASE NUMBER:
DEFENDANT (Name):	

11. ☐ **STAY-AWAY ORDERS** 19 ☐ To be ordered now and remain in effect until the hearing

a. Defendant must stay at least (specify): \_\_\_\_\_ yards away from the following persons and places (the addresses of the places are optional, and you do not have to reveal them):

(1) Plaintiff ☐ and the other protected persons identified in item 2.

(2) ☐ Plaintiff's residence (address optional):

(3) ☐ Plaintiff's place of work (address optional):

(4) ☐ Plaintiff's children's school or place of child care (address optional):

(5) ☐ Plaintiff's vehicle (specify):

(6) ☐ Other (specify):

b. Granting any of the stay-away orders

(1) ☐ will not interfere with defendant's access to defendant's residence or place of employment.

(2) ☐ will interfere with defendant's access to defendant's residence or place of employment (explain):

12. ☐ The other protected persons (identified in item 2) should be included in the orders because:

13. ☐ **ATTORNEY FEES AND COSTS**  
 Plaintiff requests that defendant be ordered to pay plaintiff's attorney fees and costs as follows (specify):

14. ☐ **OTHER ORDERS** (specify other orders you are requesting):

15. **SERVICE OF ORDERS ON LAW ENFORCEMENT.** Plaintiff requests that copies of orders be given to the law enforcement agencies listed below by:

a. ☐ plaintiff

b. ☐ plaintiff's attorney

Law Enforcement Agency: \_\_\_\_\_ Address: \_\_\_\_\_

(This is not a Court Order)

1/14/00 (Rev. January 1, 2000) PETITION FOR INJUNCTION PROHIBITING CIVIL HARASSMENT Page 3 of 4

## Como llenar una

# PETICIÓN PARA MANDATO PROHIBIENDO EL ACOSO (CH-100)

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## INSTRUCCIONES

- ▶ Encuentre el número en el formulario de muestra. Ejemplo: 20
- ▶ Encuentre el número correspondiente abajo y siga las instrucciones.
- ▶ Escriba a maquina o en letra de molde, con tinta negra.
- ▶ Si conoce el número de caso (CASE NUMBER) escríbalo o dejelo en blanco.

- 18 Escriba su nombre junto a Plaintiff. Escriba el nombre del demandado junto a Defendant.
- 19 Marque el cuadro que parece antes de *Stay Away Orders* y marque el cuadro antes de *To be ordered now and effective until the hearing*.
- 20 Escriba el numero de yardas de la distancia que se le ordena al demandado estar.  
 - Marque el cuadro al lado de *and the other persons identified in item 2* si hay otros quien necesitan ser protegidos.  
 -Marue los cuadros especificando esos sitios que el demandado no debe presentarse (2) su domicilio, (3) su sitio de trabajo (4)la escuela des sus hijos y/o su (5) coche(escriba el modelo y color de el coche)  
 -Si hay otro sitio en cual el demandado no debe presentarse marque (6) *Other*, y de detalles.
- 21 Marque el primer cuadro si la Orden de Restriccion NO le va prohibir al Demandado acceso a su domicilio o trabajo.  
 Marque el segundo cuadro si la Orden de Restriccion SI le prohibira acceso al Demandado a su domicilio o trabajo. Escribe las razones en el espacio disponible.
- 22 Marque el cuadro si cree que las personas enumeradas en la sección 2 también pudieran ser lastimadas. Escriba lo que cree pudiera sucederles si al demandado no se le ordena no acercárseles.
- 23 Marque el cuadro si desea que el demandado pague los costos judiciales. Escriba su explicacion.
- 24 Marque el cuadro si quiere que el juez haga algo adicional. Escribalo en el espacio disponible.
- 25 Marque *plaintiff*(Demandante) si UD va a entregar la orden o marque *plaintiff's attorney* si tiene un abogado quien se las entregara.
- 26 Escriba el nombre y dirrecion de las agencias a quien se les dara copias de las ordenes.

PLAINTIFF (Name): <span style="border: 1px solid black; border-radius: 50%; padding: 2px 5px; font-weight: bold;">27</span>	CASE NUMBER:
DEFENDANT (Name):	

16. **PREVIOUS RESTRAINING ORDERS**

a. ☐ Plaintiff has asked for restraining orders against the defendant before (specify date, county, court, and case number if known): 28

b. ☐ Defendant has asked for restraining orders against plaintiff before (specify date, county, court, and case number if known):

17. **ORDER SHORTENING TIME FOR SERVICE**

29. ☐ Plaintiff requests that time for service of the *Order to Show Cause* and accompanying papers be shortened so that they may be served no less than (specify number) 27 days before the date set for the hearing. The order shortening time is needed because of the facts contained in this petition. (Add additional facts if necessary):

18. **NO FEE FOR FILING OF PETITION**

30. ☐ Plaintiff is not required to pay a fee for filing this petition because the petition alleges that the defendant has inflicted or threatened violence against the plaintiff, or stalked the plaintiff, or acted or spoken in any other manner that has placed the plaintiff in reasonable fear of violence, and seeks a protective or restraining order or injunction restraining stalking, future violence, or threats of violence under Code of Civil Procedure section 527.6.

19. **NO FEE FOR SERVICE OF ORDER**

31. ☐ Plaintiff requests that the sheriff or marshal serve the protective orders, restraining orders, or injunction requested in this petition on the defendant without prepayment of any fee under Government Code section 6103.2. This request is made because the orders or injunction are

a. ☐ based upon stalking as defined in Penal Code section 646.9.

b. ☐ based upon a credible threat of violence resulting from a threat of sexual assault under Code of Civil Procedure section 527.6(p)(1).

(To obtain service by the sheriff or marshal without payment of fees, complete and file Request and Order for Free Service of Restraining Order (form CH-101), and, if eligible for a fee waiver, complete and file Application for Waiver of Court Fees and Costs (form 982(a)(17)).)

20. **ADDITIONAL RELIEF**

32. ☐ Plaintiff requests additional relief as may be proper.

21. Number of pages attached: \_\_\_\_\_

(If the plaintiff is represented by an attorney, the attorney's signature follows):

Date: \_\_\_\_\_

33. \_\_\_\_\_

(TYPE OR PRINT NAME) (SIGNATURE OF ATTORNEY)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

34. \_\_\_\_\_

(TYPE OR PRINT NAME) (SIGNATURE OF PLAINTIFF)

\_\_\_\_\_  
(TYPE OR PRINT NAME) (SIGNATURE OF PLAINTIFF)

(This is not a Court Order)

CH-100 (Rev. January 1, 2004) PETITION FOR INJUNCTION PROHIBITING CIVIL HARASSMENT Page 4 of 4

*Como llenar una*

## PETICIÓN PARA MANDATO PROHIBIENDO EL ACOSO (CH-100)

- cuarta pagina -

### INSTRUCCIONES

- ▶ Encuentre el número en el formulario de muestra. *Ejemplo:* 27
- ▶ Encuentre el número correspondiente abajo y siga las instrucciones.
- ▶ Escriba a maquina o en letra de molde, con tinta negra.
- ▶ Si conoce el número de caso (CASE NUMBER) escríbalo o dejelo en blanco.

- 27 Escriba su nombre junto a Plaintiff. Escriba el nombre del demandado junto a Defendant.
- 28 Marque el cuadro 16a. si ha pedido una Orden de Restriccion en contra del demandado antes. Escriba el nombre del condado (por ejemplo, Fresno), y el número de causa si lo sabe. Marque el cuadro 16b. si el demandado ha pedido una Orden de Restriccion en contra de usted antes. Escriba el nombre del condado y el número de causa si lo sabe.
- 29 Marque el cuadro si quiere que el juez acorte el tiempo para entergar los documentos. Llene la cantidad de los dias(Donde parece el circulo) Esta solicitando este tiempo breve basado en lo que escribio del demandado. Si hay mas motivos por el cual se debe acortar el tiempo escribalos en el espacio disponible.
- 30 Marque el cuadro si cree que no debería pagar por los gastos judiciales a causa de lo que ha escrito acerca del demandado(que le ha lastimado o ha amenazado con lastimarlo).
- 31 *NO FEE FOR SERVICE OF ORDER*, significa que solicita que el alguacil o otro agrnte de ley entregue la Orden de Restriccion. Si su solicitud de esta Orden de Restriccion se basa en el hecho de que el demandado lo seguia ilicitamente, marque el cuadro (a) , o si se basa en amenazas de agresion sexual, marque el cuadro (b). Si califica para esta renuncia debe llenar el Formulario CH-100, Request and Order for Free Service of Restraining Order.
- 32 Marque el cuadro y escriba el numero de las paginas que esta incluyendo.
- 33 *Attorney* significa abogado. Usted no tiene abogado si está llenando este formulario. NO firme aquí.
- 34 Escriba la fecha y escriba su nombre en letra de molde a la izquierda. Su firma a la derecha es indicación de que todo lo escrito es cierto y verdadero. Si otro adulto es parte de la demanda (Plaintiff), deberán escribir y firmar su nombre también.

<small>ATTORNEY OR PARTY WITHOUT ATTORNEY (Print, date for return, and address)</small>		<b>CH-110</b>
<small>TELEPHONE NO. (OPTIONAL)</small>		<small>FOR COURT USE ONLY</small>
<small>MAILING ADDRESS (OPTIONAL)</small>		
<small>ATTORNEY FOR (Name)</small>		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>		
<small>STREET ADDRESS</small>		
<small>MAILING ADDRESS</small>		
<small>CITY AND ZIP CODE</small>		
<small>COURT NAME</small>		
<small>PLAINTIFF:</small>		
<small>DEFENDANT:</small>		
<b>RESPONSE TO PETITION FOR INJUNCTION PROHIBITING HARASSMENT</b>		<small>CASE NUMBER:</small>

This response will be considered by the judge at the court hearing. You must still obey any orders granted until the hearing. Read the Instructions for Lawuits to Prohibit Harassment (form CH-110) before completing this form.

I respond to the *Petition for Injunction Prohibiting Harassment* as follows:

1. ☐ **PERSONAL CONDUCT ORDERS**  
    I ☐ do ☐ do not consent to the order requested.
2. ☐ **STAY-AWAY ORDERS**  
    I ☐ do ☐ do not consent to the order requested.
3. ☐ **DENIAL**  
    a. ☐ I deny doing all of the acts stated in item 19 of the petition.  
    b. ☐ I deny doing some of the acts stated in item 19 of the petition. (Specify at item 11.)
4. ☐ **JUSTIFICATION OR EXCUSE**  
    I have done some or all of the acts of which I am accused, but the actions are justified or excused for the following reasons:  
    a. ☐ My acts served a legitimate purpose (specify):  
  
    b. ☐ My acts were constitutionally protected (specify):  
  
    c. ☐ A reasonable person in plaintiff's position would not have suffered substantial emotional distress (specify):  
  
    d. ☐ Plaintiff's distress, if any, is not the result of my alleged acts (specify):
5. ☐ **EMOTIONAL DISTRESS**  
    a. ☐ Plaintiff has not suffered substantial emotional distress (specify):  
  
    b. ☐ A reasonable person in plaintiff's position would not have suffered substantial emotional distress (specify):  
  
    c. ☐ Plaintiff's distress, if any, is not the result of my alleged acts (specify):

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Form Adopted for Mandatory Use Judicial Council of California CH-110 (Rev. July 1, 2007)

*Como llenar*

## CONTESTACION AL PEDIMENTO PARA UNA ORDEN QUE PROHIBE EL ACOSO (CH-110)

NO ESCRIBA NADA EN ESTA FORMA  
DEJELA EN BLANCO

# CONTESTACION AL PEDIMENTO PARA UNA ORDEN QUE PROHIBE EL ACOSO (CH-110)

- segunda pagina-

PLAINTIFF (Name):		CASE NUMBER:
DEPENDANT (Name):		

6. ☐ **KNOWING AND WILLFUL CONDUCT**  
My acts, if any, did not amount to a course of conduct knowingly and willfully directed against plaintiff.

7. ☐ **OTHER DEFENSES**  
I have other defenses (specify):

8. ☐ **OTHER ORDERS**  
a. ☐ I consent to the other orders requested in the petition.  
b. ☐ I do not consent to the orders requested in the petition.  
c. ☐ I consent to the following orders (specify):

9. ☐ I request the court to order:  
a. ☐ reasonable attorney fees and costs.  
b. additional relief as may be proper.

10. ☐ An injunction should not be granted for the following additional reasons (specify):

11. ☐ **SUPPORTING INFORMATION:**

☐ (If more space is needed, check the box and add additional pages as Attachment 11.)

12. ☐ I am not required to pay a fee for filing this response because plaintiff's petition alleges that I have inflicted or threatened violence against the plaintiff, or stalked the plaintiff, or acted or spoken in any other manner that has placed the plaintiff in reasonable fear of violence, and seeks a protective or restraining order or injunction restraining stalking or future threats of violence under Code of Civil Procedure section 527.6.

13. ☐ Number of pages attached: \_\_\_\_\_

..... (TYPE OR PRINT NAME) ..... (SIGNATURE OF ATTORNEY)

I declare, under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: ..... (TYPE OR PRINT NAME) ..... (SIGNATURE OF DEPENDANT)

Page 2 of 2

CIT-110 (Rev. July 5, 2017) **RESPONSE TO PETITION FOR INJUNCTION PROHIBITING HARASSMENT**  
(Civil Harassment)

**NO ESCRIBA NADA EN ESTA FORMA**

**DEJELA EN BLANCO**



## INSTRUCTIONS FOR LAWSUITS TO PROHIBIT HARASSMENT

Under California law (Code of Civil Procedure section 527.6), courts can make orders to protect people from being harassed by others. These orders will be enforced by law enforcement agencies.

The person asking for these orders is called the "plaintiff." The plaintiff needs to file a petition in superior court against the other person ("defendant") to get these orders. There will be a court hearing within 15 days of the filing. The plaintiff can sometimes get a temporary court order against the defendant even before the hearing.

This instruction booklet tells what court orders a victim of harassment can get and how to get them. It also includes directions for a person charged with harassment.

These instructions cannot cover all of the problems and questions that may arise in a particular case. If you do not know what to do to protect your rights, you should see an attorney.

## GENERAL INFORMATION

### Who can get orders prohibiting harassment?

Most people who are victims of harassment can ask the court for these orders. A person may seek protection under this law if:

- (1) the defendant's conduct is *intentional*; and
- (2) the defendant has done a *series of acts* (more than one) which seriously alarms, annoys, or harasses the plaintiff; and
- (3) plaintiff has suffered a lot of emotional distress; and
- (4) the defendant's conduct has no legitimate reason and is not protected by the constitution.

The court may require the losing party—whether the plaintiff or defendant—to pay the winning parties court costs and attorney fees.

### What do you need to get the court orders or to object to them?

1. Harassment forms, available from the court clerk's office or legal publishers. The clerk can tell you where to get the forms. You can also obtain them on the Judicial Council's website:  
<http://www.courtinfo.ca.gov/forms/>.
2. You may need a typewriter to fill out the forms. Ask the clerk. If there is a requirement that the forms be typed, some women's shelters and volunteer legal service groups have typewriters you can use. In some libraries you can use a typewriter for a small fee. If you do not type, print clearly.
3. Money for a court filing fee unless the petition is exempt. You are not required to pay a filing fee if the petition alleges that the defendant has inflicted or threatened violence against the plaintiff, or stalked the plaintiff, or acted or spoken in any other manner that has placed the plaintiff in reasonable fear of violence. If you cannot afford to pay the court filing fee, ask the clerk for the *Information Sheet on Waiver of Court Fees and Costs*.
4. Someone, other than yourself, 18 years of age or older, to deliver (**serve**) certain papers to the other party.

### What forms are to be used for suing under the harassment law and for opposing those suits?

1. *Petition for Injunction Prohibiting Harassment* [**Petition**]. This form tells the judge the facts of the plaintiff's case and what orders the plaintiff wants the court to make. This form is **mandatory**, i.e., it must be used to petition for injunctive relief.

2. *Order to Show Cause [OSC] and Temporary Restraining Order [TRO]*. The **OSC**, when signed by the judge, tells the defendant to come to court for the hearing. It may include one or more temporary orders (**TRO**) which take effect immediately and stay in effect until the hearing.
3. *Response to Petition for Injunction Prohibiting Harassment* [**Response**]. The defendant must complete and file this **mandatory** form to object to the orders the plaintiff has requested and to give his or her side.
4. *Order After Hearing on Petition for Injunction Prohibiting Harassment* [**Order**]. This is the form signed by the court following the hearing. The order will stay in effect for up to three years depending on what the judge rules.
5. *Proof of Personal Service (Harassment) and Proof of Service by Mail (Harassment)*. These forms are used to show that the other party has been **served** with the legal documents as required by law.

### Should you see a lawyer?

You have the right to file or defend the suit and to go to court with or without an attorney. You should seek the advice of an attorney since any lawsuit may involve technical problems that cannot be explained in a printed form. Whether or not you have an attorney, the other party may have one.

You may hire a lawyer to represent you, but you can also just visit a lawyer for advice. Do not be afraid to ask the lawyer in advance what the fee will be. After hearing about your personal situation, an attorney can help by advising whether a civil harassment order is the best protection or what defenses, if any, exist to the orders requested.

Ask friends and co-workers and check the yellow pages of your telephone book under "Attorneys" or "Attorney Referral Services" for organizations that can help you find a lawyer. You can get information about free or low-cost legal services through the bar association in your county. In some areas, you can also call a women's shelter for recommendations. In many cases you can find an attorney who charges either no fee or a small fee for your first visit, but you may need to call several attorneys and compare fees and services. In some areas, there are groups (clinics or agencies) that will help you fill out the forms.

## INSTRUCTIONS FOR THE PLAINTIFF

### What steps need to be taken to get the court orders?

1. You will need at least five copies of each harassment form: one for a worksheet, the original to file with the court, a copy to be personally delivered (**served**) on the defendant and two copies for yourself. In addition, you will need extra copies of the **OSC**, the **Order**, and the **Proof of Service** form. Get one for

each law enforcement agency you want to enforce your orders, and two extras for yourself.

2. Fill in the **Petition** and the **OSC** except for the date of the court hearing and the judge's signature. (Reminder: courts may require that the forms be typewritten.)

- a. If you are not represented by an attorney, fill in your name, mailing address, and phone number at the top of each form. If you do not want to disclose your home or work address or phone number, you may use an address or phone number where you will be able to receive any communications. You may, but are not required to, provide a fax number or e-mail address where you may be contacted.
  - b. Fill in the name of the county where the action will be filed and the address of the superior court.
  - c. Type your full name and the defendant's full name.
  - d. Check ("X") all boxes that apply to your case. Read each item carefully and fill in the necessary information. Be specific.
  - e. Remember to date and sign the **Petition**.
3. If you are requesting a temporary restraining order, you must give the details of the recent acts of harassment and the problems they have caused you. Place an "X" in the box in the caption marked "Application for Temporary Restraining Order."
  4. Take all your completed forms and all copies to the clerk's office in the superior court. The clerk will tell you where to take your papers and when to pay your filing fee, if required.
  5. If the judge signs the **OSC**, take the original and all copies back to the court clerk. The clerk will stamp all the papers with a case number. The copies will be stamped with an "Endorsed-Filed" stamp (showing the date of filing), the judge's signature, and the date of signing. The clerk will file the originals and give you the copies. **KEEP TWO ENDORSED-FILED COPIES FOR YOURSELF**. Carry one with you and keep one in a safe place. You may need one if you have to call the police.
  6. Have the defendant personally **served** with copies of the **Petition**, **OSC**, and a blank copy of the **Response**. You *cannot* serve the defendant yourself. Service may be made by a licensed process server, the sheriff's department, or any person 18 years of age or older, other than you.

## INSTRUCTIONS FOR THE DEFENDANT

1. If you are served with an *Order to Show Cause (Harassment)* [**OSC**] and a *Petition for Injunction Prohibiting Harassment* [**Petition**], you should promptly seek legal advice. If you have no attorney, the attorney's reference service of your local bar association may be of assistance.
2. Whether or not you choose to consult an attorney, you should read this entire instruction booklet and other documents you have received.
3. Read the papers served on you very carefully. The *Order to Show Cause* [**OSC**] tells you when to appear in court and may contain temporary orders forbidding you from doing certain things. **If you disobey the court's orders, criminal charges may be filed against you.**
4. If you wish to oppose the **Petition**, or make your own request for court orders, you must file a *Response to Petition for Injunction Prohibiting Harassment* [**Response**].

**Service** is very important. It tells the defendant about the order and the hearing. Without it there will not be a court hearing and your temporary orders will no longer be good unless they are extended by the court. The defendant must be personally served at least five days before the hearing—unless the court, for good cause, on motion of the plaintiff or on its own motion, shortens the time for service on the defendant.

7. If you have requested any temporary orders and the judge has granted them, get copies stamped with an "Endorsed-Filed" stamp and immediately deliver an Endorsed-Filed copy of the **TRO** to each law enforcement agency (police, marshal, or sheriff's office) that you want to enforce the order.
8. After the defendant has been personally **served**, the person who served the defendant must complete and sign the original of the **Proof of Personal Service** form. You should take the signed original and the copies back to the court clerk. The clerk will file the original and stamp "Endorsed-Filed" on the copies. Take one of the Endorsed-Filed copies to each of the law enforcement agencies where you filed your **TRO**. Keep two Endorsed-Filed copies for yourself.
9. Go to the court hearing with any evidence you might have. The **Order** should be filed in and given to the judge for signing. If there are any witnesses to the defendant's conduct or your emotional distress they should also be there.
10. If the judge signs the **Order**, file the original with the clerk, get the copies stamped with an "Endorsed-Filed" stamp, and immediately deliver copies to law enforcement agencies.  
If the defendant was not present in court for the hearing, arrange to have defendant personally **served** with a copy of the order. File the completed **Proof of Personal Service** with the court and deliver copies stamped "Endorsed-Filed" to law enforcement agencies. **KEEP TWO COPIES FOR YOURSELF**. Carry one with you and keep one in a safe place.

In addition to the **Response**, you may file and serve declarations signed by persons who have personal knowledge of the facts. If you do not know how to prepare a declaration, you should see an attorney. After you have filed the **Response** with the court clerk, a copy must be delivered personally or by mail to the plaintiff or the plaintiff's attorney.

You cannot serve the plaintiff yourself. The person should complete and sign a *Proof of Service (Harassment)* form. You should take the completed form back to the court clerk or bring it with you to the hearing.

5. If you wish to oppose the lawsuit, you should file a **Response** and also be present at the hearing. If you have any witnesses, they must also be present.
6. If you wish to file a cross-complaint against the plaintiff for harassing you, you must file a completed form called *Petition for Injunction Prohibiting Harassment* [**Petition**].

The next three pages show a **Petition** which has been completed with examples of the kind of information a court is likely to want.

If you are not represented by an attorney, fill in your name, mailing address, and phone number at the top of each form.

If you do not want the defendant to know where you are living, you can use a friend's address and telephone number. Be sure you can be contacted with the information you put in this box.

Court where you are filing your case. Call the court clerk if you do not know the address.

Your full name.

The full name of the person you want the orders against.

Check this box if you are asking for orders to go into effect immediately when the **TRO** is signed by the judge. You will also need to check the box at item 13 and give the necessary information.

Insert your name in item 1 and the names and descriptions of the other persons to be protected in item 2.

Insert the name, description, and other information about the defendant in item 3.

Put an "X" in all the boxes that apply to you in items 4 and 6.

Describe how you know the defendant in item 5.

The court clerk will give you this number. Use it on all forms you file later.

After this form is filed, the clerk will stamp this box on the copies so everyone knows it is a copy of an official paper. This is the place for the "Endorsed-Filed" stamp.

CH-100	
<small>NAME OF PARTY OR ATTORNEY (and state bar number if attorney):</small> Terry Roe <small>ADDRESS WHERE YOU WANT MAIL SENT:</small> P.O. Box 500 Anytown, California 91234 <small>FAX NUMBER (Optional):</small> <small>E-MAIL ADDRESS (Optional):</small> <small>ATTORNEY FOR (Name):</small> In Pro Per	<small>TELEPHONE NUMBER (Optional):</small>  <small>FOR COURT USE ONLY</small>
<small>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</small> Any County	
<small>STREET ADDRESS:</small> 100 Elm Street <small>MAILING ADDRESS:</small> P.O. Box 109 <small>CITY AND ZIP CODE:</small> Anytown, California 91235	
<small>BRANCH NAME:</small>	
<small>PLAINTIFF:</small> Terry Doe	
<small>DEFENDANT:</small> Pat Roe	
<b>PETITION FOR INJUNCTION PROHIBITING HARASSMENT</b>	
<input checked="" type="checkbox"/> <b>Application for Temporary Restraining Order</b>	
<small>(THIS IS NOT AN ORDER)</small>	
<small>Read the Instructions for Lawsuits to Prohibit Harassment (form CH-150) before completing this form.</small>	
1. <small>Plaintiff (name each):</small> Terry Doe	
2. <input checked="" type="checkbox"/> <small>OTHER PERSONS TO BE PROTECTED (List names and ages of all family or household members who reside with plaintiff and are to be protected by the requested orders and their relationship to plaintiff):</small>	
<small>Name</small>	<small>Age</small>
Mary Doe	9
John Doe	6
	<small>Relationship to plaintiff</small>
	Daughter
	Son
3. a. <small>Defendant (name):</small> Pat Roe	
<div style="border: 1px solid black; padding: 2px;"><small>Sex:</small> <input checked="" type="checkbox"/> M <input type="checkbox"/> F <small>Ht.:</small> 6' <small>Wt.:</small> 190 <small>Hair color:</small> Br <small>Eye color:</small> Br <small>Race:</small> White <small>Age:</small> 51 <small>Date of birth:</small> 2/10/51</div>	
b. <small>Defendant's residence address (if known):</small> 555 Fifth Street Anytown, California 94124	
c. <small>Defendant's work address and name of business (if known):</small> Apex Industries 9420 Commercial Street Anytown, California 94125	
4. This action is filed in this county because	
a. <input type="checkbox"/> defendant resides in this county.	
b. <input checked="" type="checkbox"/> defendant has caused physical or emotional injury to plaintiff in this county.	
c. <input type="checkbox"/> other (specify):	
5. <small>Describe how plaintiff knows defendant (e.g., landlord/tenant, neighbor, etc.):</small> Defendant is a former neighbor.	
6. <small>Defendant has</small>	
a. <input checked="" type="checkbox"/> threatened to commit acts of violence against plaintiff as described in item 10.	
b. <input type="checkbox"/> committed acts of violence against plaintiff as described in item 10.	
c. <input type="checkbox"/> not threatened to commit and has not committed any acts of violence.	

Form Adopted for Mandatory Use  
Judicial Council of California  
CH-100 [Rev. July 1, 2001]

**PETITION FOR INJUNCTION PROHIBITING HARASSMENT**  
(CIVIL HARASSMENT)

Page 1 of 4  
Code of Civil Procedure, § 527.6

Fill this in.

Leave this blank.

Item 10 is the most important part of your petition. This information is all the judge will know about your case until the hearing. Give details of the most recent incidents.

If you have so many facts that they will not all fit, put an "X" in this box and write the facts on a separate piece of paper and attach it at the end of your petition.

Put an "X" in the boxes that apply to your case. Leave the boxes empty if they do not apply to your case.

You do not need to give specific addresses in item 12. However, it may be easier for the police to enforce your orders if they know the defendant knows the addresses to stay away from.

PLAINTIFF (Name): Terry Doe		CASE NUMBER:
DEFENDANT (Name): Pat Roe		

7. Defendant has committed a series of acts that seriously alarm, annoy, or harass plaintiff as described in item 10.

8. Plaintiff has actually suffered substantial emotional distress as a direct result of defendant's conduct described in item 10, and defendant's conduct would have caused a reasonable person to suffer substantial emotional distress.

9. Defendant's continuing course of conduct has been directed specifically against plaintiff and is knowing, willful, not constitutionally protected, and without legitimate purpose.

10. **DESCRIPTION OF CONDUCT**  
Describe in detail the harassment (including the dates, who did what to whom, and any injuries):  
Defendant and I are former neighbors. Two months ago I had to move because defendant kept making physical threats against me and blocked my passage into my house. On the morning of January 10, 2002, as I was leaving my home with my son and daughter, we saw the defendant in front of the house in the act of slashing the tires on my car. When he saw us, he yelled physical threats at me. Since I've moved, defendant constantly follows me and phones me at all hours of the day and night. On May 15, 2002, defendant followed me to a restaurant where I was having dinner with a friend. Defendant kept calling me names and threatened to "cut me to pieces." Defendant left before the police got there. On May 18, 19, and 20, 2002, defendant called me at work at least 45 times each day. I can't do my job because of the constant interruptions. I've had to go to the doctor for medication to calm to calm my nerves. I've lost weight and can't sleep at night.

☐ (If more space is needed, check the box and add additional pages as Attachment 10.)

**PLAINTIFF REQUESTS THE COURT TO MAKE THE ORDERS INDICATED BY THE CHECK MARKS IN THE BOXES BELOW.**

11. ☒ **PERSONAL CONDUCT ORDERS** ☒ To be ordered now and effective until the hearing.  
Defendant must not contact, molest, harass, attack, strike, threaten, sexually assault, batter, telephone, send any messages to, follow, stalk, destroy any personal property, disturb the peace, keep under surveillance, or block movements in public places or thoroughfares, or otherwise harass plaintiff ☒ and the other protected persons identified in item 2.

12. ☒ **STAY-AWAY ORDERS** ☒ To be ordered now and effective until the hearing  
a. Defendant must stay at least (specify): 150 yards away from the following persons and places (the addresses of the places are optional and you do not have to reveal them):  
(1) Plaintiff ☒ and the other protected persons identified in item 2.  
(2) ☒ Plaintiff's residence (address optional):  
(3) ☒ Plaintiff's place of work (address optional):  
(4) ☒ Plaintiff's children's school or place of child care (address optional):  
(5) ☒ Plaintiff's vehicle (specify): 1998 Green Ford Sedan (Lic. No.: 9NQR321)  
(6) ☐ Other (specify):

Whenever you check these boxes, you are asking for the order to go into effect immediately, as soon as the TRO is signed by the judge. You will also need to check the box at item 10 and give the necessary information.

Fill this in.

Leave this blank.

You must check one of the boxes in item 12b.

If you are asking for the orders to go into effect immediately, as soon as the judge signs the **TRO**, you *must* check this box and state the reasons. State what harm would result to you if the orders are not made immediately.

In item 14 explain the reasons that the orders should include other persons to be protected.

If you ask for attorney fees and costs, bring receipts or bills for these to your hearing.

This space is where you ask for other orders you need. If you use this space, be sure to put in facts and dates in item 10 of your **Petition** that would give the court a reason to order what you ask for here.

List all the agencies you may want to enforce your order. The court will either tell the clerk to mail copies of the orders to the agencies or direct you or your attorney (if you have one) to deliver them personally.

PLAINTIFF (Name): Terry Doe		CASE NUMBER:
DEFENDANT (Name): Pat Roe		

12. b. Granting any of the stay-away orders

(1) ☒ will **not** interfere with defendant's access to defendant's residence or place of employment.

(2) ☐ will interfere with defendant's access to defendant's residence or place of employment (*explain*):

13. ☒ Plaintiff will suffer great and irreparable harm before this petition can be heard in court unless the court makes the orders requested above effective now and until the hearing (*specify the harm and why it will occur before the hearing*):

If defendant isn't ordered to stop harassing me immediately, I will lose my job. My employer has threatened me with loss of my job because of the numerous phone calls defendant makes to me. I'm afraid to go anywhere because defendant keeps following me.

14. ☒ There is good cause to include in the orders requested above the other protected persons identified in item 2 (*explain*):

Defendant's actions, including his threats and slashing of my car tires, have been witnessed by my daughter and son. This has caused them great distress. Defendant should be prohibited from getting near them as well as myself.

15. ☒ **ATTORNEY FEES AND COSTS**

Plaintiff requests that defendant be ordered to pay plaintiff's attorney fees and costs as follows (*specify*):

I request \$125 for consultation with an attorney about what I should do to prevent the harassment. I will bring the bill and documents showing payment to the hearing.

16. ☐ **OTHER ORDERS** (*specify other orders you are requesting*):

17. Plaintiff requests that copies of orders be given to the following law enforcement agencies:

<u>Law enforcement agency</u>	<u>Address</u>
Anytown Police Department	100 Oak Street Anytown, California 94123
Any County Sheriff's Department	200 Main Street Anytown, California 94125

CH-100 [Rev. July 1, 2001]**PETITION FOR INJUNCTION PROHIBITING HARASSMENT**  
(CIVIL HARASSMENT)Page 3 of 4

Fill this in.

Leave this blank.

If there have been previous restraining orders, provide information about them in item 18.

Normally, the court requires that the defendant be served at least five days before the hearing. The judge can shorten the time to two days before the hearing. It is a good idea to ask for this when you think the defendant will be hard to find and serve.

Check the box if your **Petition** contains the allegations stated in item 21.

Indicate the number of attached pages in item 22.

If you have an attorney, the attorney's name and signature should be included here.

**Note:** Fill in the **OSC** in the same way as your **Petition** except as follows:

1. Leave item 2 on the **OSC** blank. The court clerk or the judge will insert the date. Your hearing will be within 15 days after the filing of the **Petition**.
2. Do not date or sign the **OSC**.

PLAINTIFF (Name): Terry Doe	CASE NUMBER:
DEFENDANT (Name): Pat Roe	

18. a. ☐ Plaintiff has asked for restraining orders against the defendant before (specify county and case number if known):

b. ☐ Defendant has asked for restraining orders against plaintiff before (specify county and case number if known):

19. Plaintiff requests additional relief as may be proper.

20. ☒ Plaintiff requests that time for service of the **Order to Show Cause** and accompanying papers be shortened so that they may be served no less than (specify number): 2 days before the date set for the hearing. The order shortening time is needed because of the facts contained in this petition. (Add additional facts if necessary):  
I need this hearing as soon as possible. I am afraid to go to work, or to go outside with my family, or to answer the telephone. Because it may be difficult to serve the defendant, I need as much time as possible to serve him before the hearing date.

21. ☒ Plaintiff is not required to pay a fee for filing this petition because the petition alleges that the defendant has inflicted or threatened violence against the plaintiff, or stalked the plaintiff, or acted or spoken in any other manner that has placed the plaintiff in reasonable fear of violence, and seeks a protective or restraining order or injunction restraining talking or future threats of violence under Code of Civil Procedure section 527.6.

22. ☐ Number of pages attached: 0

(If the plaintiff is represented by an attorney, the attorney's signature follows):

Date:

.....  
(TYPE OR PRINT NAME)

.....  
(SIGNATURE OF ATTORNEY)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 29, 2002

.....  
Terry Doe  
(TYPE OR PRINT NAME)

.....  
Terry Doe  
(SIGNATURE OF PLAINTIFF)

.....  
(TYPE OR PRINT NAME)

.....  
(SIGNATURE OF PLAINTIFF)

CH-100 (Rev. July 1, 2001)

PETITION FOR INJUNCTION PROHIBITING HARASSMENT  
(CIVIL HARASSMENT)

Page 4 of 4

**VERY IMPORTANT**

1. The date you sign.

2. Your signature.

**DO NOT FORGET THESE OR ALL YOUR WORK WILL BE WASTED**

**CH-130**

NAME OF PARTY OR ATTORNEY (please use full name): **1**

ADDRESS WHERE YOU WANT MAIL SENT: **2**

TELEPHONE NUMBER (optional):

ATTORNEY'S NAME:

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF**

STREET ADDRESS: **2**

CITY AND ZIP CODE: **2**

COUNTY NAME: **2**

PLAINTIFF: **3**

DEFENDANT: **3**

**PROOF OF PERSONAL SERVICE (Harassment)**

CASE NUMBER: **4**

**PERSONAL SERVICE**

Instructions: After having the other party served with any of the documents identified in item 1, have the person who served the documents complete this Proof of Personal Service. Give the completed Proof of Personal Service to the clerk for filing. Neither the plaintiff nor the defendant can serve these papers.

1. I served a copy of the following documents (check the box before the title of each document you served):

a. ☐ Order to Show Cause (Harassment)

b. ☐ and Temporary Restraining Order (CLETS)

c. ☐ Petition for Injunction Prohibiting Harassment

d. ☐ Application for Temporary Restraining Order

e. ☐ Blank Response to Petition for Injunction Prohibiting Harassment

f. ☐ Order After Hearing on Petition for Injunction Prohibiting Harassment (CLETS)

g. ☐ completed Response to Petition for Injunction Prohibiting Harassment

h. ☐ other (specify):

2. Person served (Name): **6**

3. By personally delivering copies to the person served, as follows:

a. Date: **7**

b. Time: **7**

c. Address: **7**

4. At the time of service I was at least 18 years of age and not a party to this cause.

a. Name: **8**

b. Telephone: **8**

c. Address: **8**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **9**

Form approved by the Judicial Branch of California (2012) (Rev. January 1, 2008)

**PROOF OF PERSONAL SERVICE (Harassment)**

WEST GROUP

Date of Last Printed: 4/1/2010

*Como llenar un*

## PRUEBA DE ENTREGA VIA UN TERCERO (CH-130)

### INSTRUCCIONES

- ▶ Encuentre el número en el formulario de muestra. Ejemplo: **1**
- ▶ Encuentre el número correspondiente abajo y siga las instrucciones.
- ▶ Escriba a máquina o en letra de molde, con tinta negra.
- ▶ Si conoce el número del caso (CASE NUMBER) escríbalo o dejelo en blanco.

- 1** Plaintiff (demandante): Escriba su nombre y domicilio. Escriba su teléfono si desea.
- 2** Plaintiff (demandante): Si está en blanco, exscriba "Fresno" junto a COUNTY OF. La dirección es: 1100 Van Ness Ave., Fresno CA 93724-0002. El Branch Name es: Central Branch.
- 3** Plaintiff (demandante): Escriba su nombre completo. Escriba el nombre del DEFENDANT(demandado.)
- 4** Estas instrucciones dicen que la persona que entregó los papeles legales al demandado (el notificador judicial) deberá llenar el resto del formulario.
- 5** Process Server (notificador): Marque lo cuadros correspondientes a todos los formularios entregados al demandado. Marque la f. si entrego un formulario que no parece y escríbalo en el espacio disponible.
- 6** Process Serve (notificador): Escriba el nombre de la persona a quien les entregó los documentos
- 7** Process Server (notificador): Escriba la fecha y hora de la entrega de los documentos. Escriba la dirección a la cual entregó los documentos.
- 8** Process Server (notificador) – al tiempo de la entrega de los papeles deberá haber tenido por lo menos 18 años cumplidos y no tener parte en esta causa. Escriba su nombre, teléfono y domicilio aquí.
- 9** Process Server (notificador): Escriba la fecha y escriba en letra de molde su nombre a la izquierda. Su firma a la derecha es indicación de que todo lo que ha escrito aquí es cierto.



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and state bar number, if attorney):		CH-140	
ADDRESS WHERE YOU WANT MAIL SENT:		FOR COURT USE ONLY	
TELEPHONE NO. (Optional):	FAX NO. (Optional):		
E-MAIL ADDRESS (Optional):			
ATTORNEY FOR (Name):			
<b>SUPERIOR COURT OF CALIFORNIA - COUNTY OF FRESNO</b> 1100 Van Ness Avenue Fresno, California 93724-0002			
PLAINTIFF:			
DEFENDANT:			
<b>ORDER AFTER HEARING ON PETITION FOR INJUNCTION PROHIBITING CIVIL HARASSMENT (CLETS)</b>		CASE NUMBER:	
		Judge:	
		Dept.:	

1. **THIS ORDER, EXCEPT FOR AWARD OF ATTORNEY FEES AND COSTS, SHALL EXPIRE AT MIDNIGHT ON (date):** **IF NO DATE IS PRESENT, THIS ORDER EXPIRES 3 YEARS FROM THE DATE OF ISSUANCE.**

2. This proceeding came on for hearing as follows:

Date:	Time:	Dept.:	Room:
-------	-------	--------	-------

3. Judicial officer (name): ☐ Temporary judge

4. a. ☐ Plaintiff present      ☐ Attorney present (name):  
 b. ☐ Defendant present      ☐ Attorney present (name):

**THE COURT FINDS**

5. a. The defendant is (name):  
 Sex: ☐ M ☐ F      Ht:      Wt:      Hair Color:      Eye Color:      Race:      Age:      Date of Birth:

b. The protected person is (name):  
 Sex: ☐ M ☐ F      Date of Birth (optional):

c. Protected family or household members who reside with the protected person are:

(1) (Name):  
 Sex: ☐ M ☐ F      Date of Birth (optional):

(2) (Name):  
 Sex: ☐ M ☐ F      Date of Birth (optional):

(3) (Name):  
 Sex: ☐ M ☐ F      Date of Birth (optional):

☐ Additional protected persons are listed on a separate page designated as Attachment 5c.

Form Adopted for Mandatory Use  
 Judicial Council of California  
 CH-140 (Rev. January 1, 2004)

**ORDER AFTER HEARING ON PETITION FOR  
INJUNCTION PROHIBITING CIVIL HARASSMENT (CLETS)**

Page 1 of 3  
 Code of Civil Procedure, § 527.5,  
 Penal Code, § 273.8(b)

## Como Llenar

### Orden despues de la Audiencia Prohibiendo El Acoso

#### (CH-140) Instrucciones

- ▶ Encuentre el numero en el formulario de muestra. *Ejemplo:*
- ▶ Encuentre el numero correspondiente abajo y siga las instrucciones de como llenar el formulario.
- ▶ Escriba a maquina o en letra de molde con tinta negra.
- ▶ Si conoce el numero del caso escríbalo. Si no dejelo en blanco.

- 1 Escriba su nombre. No tiene que dar su direccion si teme ser acosado; puede dar otra direccion donde reciba correo. Puede dar su numero de telefono, fax or correo electronico si lo desea. (opcional).
- 2 Escriba FRESNO despues de COUNTY OF. La direccion es 1100 Van Ness., Fresno, CA 93724-002. Junto a "Branch Name" escriba CENTRAL BRANCH.
- 3 Si es Usted quien presenta el caso escriba su nombre a la derecha de **PLAINTIFF (Demandante)**. Escriba el nombre de quien lo acosa a la derecha de **Defendant (Demandado)**.
- 4 Escriba el numero de su caso (si lo sabe). En el cuadro directamente abajo, escriba el nombre del juez al lado de **JUDGE**, y el numero del departamento al lado de **DEPT**.
- 5 Escriba la fecha que se vence su Orden de Restriccion. Se vence Tres anos de la fecha que se presento ante el juez.
- 6 Escriba la fecha y el tiempo que se llevo acabo la audiencia. Escriba el numero del departamento y la sala donde estuvo la audiencia.
- 7 Marque el cuadro **a. (Plaintiff Present)** si estaba presente durante la audiencia, y si tenia un abogado quien tambien estaba presente (**Attorney Present**). Escriba el nombre de su abogado. Marque el cuadro **b. (defendant Present)** si el demandado estaba presente durante la audiencia, y si el abogado de el/ella estaba presente (**Attorney Present**) Escriba el nombre de este abogado.
- 8 Escriba el nombred el demandado. Marque el cuadro "M" si el demandado es hombre, "F" si es una mujer. Ht (Altura), Wt. (Peso), Hair Color (Color de Pelo), Eye Color (Color de Ojos), Race/RAZA (A=afroamericano, C=caucasico, H=hispano, O=otra raza), Age (Edad), y Date of Birth (Fecha de Nacimiento). Usted **DEBE** incluir la fecha de nacimiento, para ejecutar esta orden.
- 9 Escriba SU PROPIO NOMBRE al lado de **The protected person is (name)**. Marque el cuadro para Hombre (M) o Mujer (F) y escriba su fecha de nacimiento.
- 10 Escriba el nombre de cada miembro de la familia o del hogar, viviendo con Ud., quien esta siendo protegida del demandado. Marque el cuadro para Hombre (M) o Mujer (F) y escriba su fecha de nacimiento. Anote por separado cada persona en los espacios disponibles en c (1), c (2) y c (3). Si hay mas de tres personas por quien solicita que sean protegidas sel demandado, marque el cuadro y use "**Attachment 5c**".

## Como Llenar

### Orden despues de la Audiencia Prohibiendo El Acoso

#### (CH-140) Instrucciones Segunda Pagina

**11**

PLAINTIFF (Name)	CASE NUMBER
DEFENDANT (Name)	

6. After the hearing on the petition, IT IS ORDERED THAT DEFENDANT

a. ☐ shall not contact, molest, harass, attack, strike, threaten, sexually assault, batter, telephone, communicate by any means (including mail, fax, or e-mail), follow, stalk, destroy the personal property of, disturb the peace of, keep under surveillance, or block movements in public places or thoroughfares of

☐ the person seeking the order and ☐ the other protected persons listed in item 5c.

b. ☐ shall stay at least (specify): \_\_\_\_\_ yards away from the following protected persons and places:

(1) ☐ Person seeking the order

(2) ☐ The other protected persons listed in item 5c

(3) ☐ Residence of person seeking the order

(4) ☐ Place of work of person seeking the order

(5) ☐ The children's school or place of child care

(6) ☐ The protected persons' vehicles

(7) ☐ Other (specify): \_\_\_\_\_

**12**

7. ☐ OTHER ORDERS (specify): \_\_\_\_\_

**13**

**14**

8. MANDATORY FIREARM RELINQUISHMENT

The restrained person must surrender to local law enforcement or sell to a licensed gun dealer any firearm in or subject to his or her immediate possession or control within

a. ☐ 24 hours after issuance of this order (if restrained person is present at hearing).

b. ☐ 48 hours after service of this order (if restrained person is not present at hearing).

c. ☐ other (specify): \_\_\_\_\_

The restrained person shall file a receipt with the court showing compliance with this order within 72 hours of receiving this order.

CH-140 (Rev. January 1, 2004) ORDER AFTER HEARING ON PETITION FOR INJUNCTION PROHIBITING CIVIL HARASSMENT (CLETS) Page 2 of 3

- ▶ Encuentre el numero en el formulario de muestra. *Ejemplo:* **11**
- ▶ Encuentre el numero correspondiente abajo y siga las instrucciones de como llenar el formulario.
- ▶ Escriba a maquina o en letra de molde con tinta negra.
- ▶ Si conoce el numero del caso escribalo. Si no dejelo en blanco.

- 11** Escriba su nombre despues de **PLAINTIFF**. Escriba el nombre del Demandado despues de **DEFENDANT**.
- 12** Marque el cuadro **b.** y escriba el numero de yardas que el demandado debe quedarse de las personas protegidas, si eso es parte de la order, Marque los cuadros indicando las personas y lugares que se le prohíben al demandado. So hay otro persona o lugar no anotado, marque **“Other”** y escribalo en el espacio disponible.
- 13** Si el juez dicto ordenes adicionales, escribalas en este espacio.
- 14** Si el juez le ordene al Demandado que entregue armas de fuego, marque **a., b.,** o **c.**

## Como Llenar

### Orden despues de la Audiencia Prohibiendo El Acoso

#### (CH-140) Instrucciones Tercera Pagina

PLAINTIFF (Name): _____ DEFENDANT (Name): _____	CASE NUMBER: _____
--	--------------------

**15** **9. SERVICE OF ORDER ON LAW ENFORCEMENT**  
 By the close of business on the date of this order, a copy of this order and any proof of service shall be delivered to the law enforcement agencies listed below by:

a. ☐ plaintiff  
 b. ☐ plaintiff's attorney:

Law Enforcement Agency: \_\_\_\_\_ Address: \_\_\_\_\_

**10. SERVICE OF ORDER ON DEFENDANT**  
 Plaintiff must cause a copy of this order to be served on the defendant.

**11. NO FEE FOR SERVICE OF ORDER**  
☐ The sheriff or marshal shall serve this order on the defendant without requiring plaintiff to pay any fee.  
 (a) ☐ Plaintiff qualifies for a fee waiver. Law enforcement shall serve the order without charging a fee.  
 -or-  
 (b) ☐ The plaintiff has not qualified for a fee waiver, but the sheriff or marshal shall serve this order without prepayment of fee, under Government Code section 6103.2.

**16** Date: \_\_\_\_\_ JUDICIAL OFFICER: \_\_\_\_\_

This order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this restraining order are subject to criminal penalties.

**NOTICE REGARDING FIREARMS**

Any person subject to a restraining order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000 fine and imprisonment.

(SEAL)

**CLERK'S CERTIFICATE**

I certify that the foregoing Order After Hearing on Petition for Injunction Prohibiting Civil Harassment (CLETS) is a true and correct copy of the original on file in the court.

**17**

Date: \_\_\_\_\_ Clerk, by: \_\_\_\_\_ Deputy

CH-140 (Rev. January 1, 2004) Page 3 of 3

ORDER AFTER HEARING ON PETITION FOR  
INJUNCTION PROHIBITING CIVIL HARASSMENT (CLETS)

- ▶ Encuentre el numero en el formulario de muestra. *Ejemplo:* **15**
- ▶ Encuentre el numero correspondiente abajo y siga las instrucciones de como llenar el formulario.
- ▶ Escriba a maquina o en letra de molde con tinta negra.
- ▶ Si conoce el numero del caso escribalo. Si no dejelo en blanco.

- 15**
  - Marque el cuadro **a.**, si usted va a entregar una copia de esta Orden a las Agentes de la Ley (Policia, Sheriff). Incluya una copia del Formulario de Servicio de Entrega Personal. ( ya llenado por el notificador de la orden), la cual diga que la Orden Fue entregada al Acosador.
  - Marque el cuadro **b.**, si es un Abogado quien va a entregar las Copias a los Agentes de la Ley. No marque el cuadro **c.**, los funcionarios no entregaran copias.
  - Escriba el nombre y direccion de cada una de las Agencias de la ley a las cuales se les entregaran las Copias.
- 16** Dejelo en blanco. El juez firmara y fechara en este espacio.
- 17** Dejelo en blanco. El Actuario llenara y fechara copias del formulario para que sean acreditados.

# **AVISO**

## **CASOS CIVILES DE ACOSO**

**Su orden de prohibición quedará sin vigor si está en conflicto con alguna orden Judicial previa**

Si alguien en volucrado en esta cause tiene antecedentes civiles relacionados con el derecho familiar (divorcio, violencia intra familiar, partenidad, ect) tendrá que escrebir en el punto numero 10 de la peteción de la orden de prohibición, el nombre y numero del caso judicial.

### **INTREPRETES**

Es su reponsabilidad trer su proprio interprete, si necesita los servicios de uno. El Juez solo proporciona interpretes de language en señas para estos casos.

El Centro de Recursos Legales puede ayudarle obtener los servicios de un interpreter voluntario para estos casos de acoso. Los formularios para solicitar dichos servicios se puede obtener en la secretaria del tribunal (clerk's office). Para mas información favor de llamra al numero 497-7811.

### **PARA SERVIR LA ORDEN DE PROHIBICIÓN PROVICIONAL**

Se le debe entrgrar al demandado la orden de prohibición provicional de acoso en persona por lo menos (5 ) días antes de la audiencia judicial.

### **IMPORTANTE**

- **El departamento del alguacil no podra cumplir la Orden de Prohibicioñ de acoso si no puede identificar el demando. La fecha de nacimiento debe estar escrita en el punto numero (4a) del documento para promover la order de prohibicioñ o en el punto (5a) del documento de Peticioñ para registrar la orden expedida con el juez depues de la audencia judicial (CLETS).**
- **Se tiene que entregar al demandado(s) los siguientes formularios:**
  - **La orden para demostrar que existe fundamienmto (forulario CH-120)**
  - **La Peticion para la orden judicial (formulario CH –100)**
  - **El formulario en blanco para responder a la peticion (formulario CH-110)**
  - **Las instrucciones para el demandado contra el acoso (formulario CH-150)**

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name and State Bar number, if attorney):</i>  ADDRESS WHERE YOU WANT MAIL SENT:  <hr/> TELEPHONE NUMBER <i>(Optional):</i> _____ FAX NUMBER <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF:  DEFENDANT:	CASE NUMBER:
<b>PETITION FOR INJUNCTION PROHIBITING CIVIL HARASSMENT</b>  <input type="checkbox"/> <b>Application for Temporary Restraining Order</b>	JUDGE: DEPT.:

Read the Instructions for Lawsuits to Prohibit Civil Harassment (form CH-150) before completing this form.

1. Plaintiff *(name each)*:

2. ☐ OTHER PERSONS TO BE PROTECTED *(List names and ages of any family or household members who reside with plaintiff for whom protection is sought in the requested orders and their relationship to plaintiff):*

Name

Age

Relationship to Plaintiff

3. a. Defendant *(name)*:

Sex: ☐ M ☐ F Ht.: \_\_\_\_ Wt.: \_\_\_\_ Hair Color: \_\_\_\_ Eye Color: \_\_\_\_ Race: \_\_\_\_ Age: \_\_\_\_ Date of Birth: \_\_\_\_

b. Defendant's residence address *(if known)*:

c. Defendant's work address and name of business *(if known)*:

4. This action is filed in this county because *(check all that apply)*:

- a. ☐ defendant resides in this county.  
 b. ☐ defendant has caused physical or emotional injury to plaintiff in this county.  
 c. ☐ other *(specify)*:

5. Describe whether plaintiff knows defendant and, if so, how (for example, as a landlord, tenant, neighbor, etc.):

(This is not a Court Order)

PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

6. Defendant has *(check all that apply)*:

- a. ☐ committed acts of violence against plaintiff as described in item 8.
- b. ☐ threatened to commit acts of violence against plaintiff as described in item 8.
- c. ☐ engaged in a course of conduct directed at plaintiff as described in item 8. Plaintiff has suffered substantial emotional distress as a direct result of defendant's conduct described in item 8, and defendant's conduct would have caused a reasonable person to suffer substantial emotional distress.

7. Defendant's acts or conduct have seriously alarmed, annoyed, or harassed plaintiff as described in item 8, and serve no legitimate purpose.

8. **DESCRIPTION OF CONDUCT**

Describe in detail the harassment *(including the dates, who did what to whom, and any injuries)*:

☐ *(If more space is needed, check the box and add additional pages as Attachment 8.)*

9. ☐ Plaintiff will suffer great and irreparable harm before this petition can be heard in court, unless the court makes the temporary orders requested below *(specify the harm and why it will occur before the hearing)*:

☐ *(If more space is needed, check the box and add additional pages as Attachment 9.)*

**PLAINTIFF REQUESTS THE COURT TO MAKE THE ORDERS INDICATED BY THE CHECK MARKS IN THE BOXES BELOW.**

10. ☐ **PERSONAL CONDUCT ORDERS** ☐ **To be ordered now and remain in effect until the hearing**  
 Defendant must not contact, molest, harass, attack, strike, threaten, sexually assault, batter, telephone, communicate by any means (including mail, fax, or e-mail), stalk, destroy any personal property, disturb the peace, keep under surveillance, or block movements in public places or thoroughfares, or otherwise harass plaintiff ☐ and the other protected persons identified in item 2.

**(This is not a Court Order)**

PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

11. ☐ **STAY-AWAY ORDERS** ☐ **To be ordered now and remain in effect until the hearing**

a. Defendant must stay at least (specify): \_\_\_\_\_ yards away from the following persons and places (the addresses of the places are optional, and you do not have to reveal them):

(1) Plaintiff ☐ and the other protected persons identified in item 2.

(2) ☐ Plaintiff's residence (address optional):

(3) ☐ Plaintiff's place of work (address optional):

(4) ☐ Plaintiff's children's school or place of child care (address optional):

(5) ☐ Plaintiff's vehicle (specify):

(6) ☐ Other (specify):

b. Granting any of the stay-away orders

(1) ☐ will **not** interfere with defendant's access to defendant's residence or place of employment.

(2) ☐ will interfere with defendant's access to defendant's residence or place of employment (explain):

12. ☐ The other protected persons (identified in item 2) should be included in the orders because:

13. ☐ **ATTORNEY FEES AND COSTS**

Plaintiff requests that defendant be ordered to pay plaintiff's attorney fees and costs as follows (specify):

14. ☐ **OTHER ORDERS** (specify other orders you are requesting):

15. **SERVICE OF ORDERS ON LAW ENFORCEMENT.** Plaintiff requests that copies of orders be given to the law enforcement agencies listed below by:

a. ☐ plaintiff

b. ☐ plaintiff's attorney

Law Enforcement Agency

Address

(This is not a Court Order)

PLAINTIFF (Name): _____ DEFENDANT (Name): _____	CASE NUMBER: _____
--	--------------------

**16. PREVIOUS RESTRAINING ORDERS**

- a. ☐ Plaintiff has asked for restraining orders against the defendant before (*specify date, county, court, and case number if known*): \_\_\_\_\_
- b. ☐ Defendant has asked for restraining orders against plaintiff before (*specify date, county, court, and case number if known*): \_\_\_\_\_

**17. ORDER SHORTENING TIME FOR SERVICE**

- ☐ Plaintiff requests that time for service of the **Order to Show Cause** and accompanying papers be shortened so that they may be served no less than (*specify number*): \_\_\_\_\_ days before the date set for the hearing. The order shortening time is needed because of the facts contained in this petition. (*Add additional facts if necessary*): \_\_\_\_\_

**18. NO FEE FOR FILING OF PETITION**

- ☐ Plaintiff is not required to pay a fee for filing this petition because the petition alleges that the defendant has inflicted or threatened violence against the plaintiff, or stalked the plaintiff, or acted or spoken in any other manner that has placed the plaintiff in reasonable fear of violence, and seeks a protective or restraining order or injunction restraining stalking, future violence, or threats of violence under Code of Civil Procedure section 527.6.

**19. NO FEE FOR SERVICE OF ORDER**

- ☐ Plaintiff requests that the sheriff or marshal serve the protective orders, restraining orders, or injunction requested in this petition on the defendant without prepayment of any fee under Government Code section 6103.2. This request is made because the orders or injunction are
- a. ☐ based upon stalking as defined in Penal Code section 646.9.
- b. ☐ based upon a credible threat of violence resulting from a threat of sexual assault under Code of Civil Procedure section 527.6(p)(1).

*(To obtain service by the sheriff or marshal without payment of fees, complete and file Request and Order for Free Service of Restraining Order (form CH-101), and, if eligible for a fee waiver, complete and file Application for Waiver of Court Fees and Costs (form 982(a)(17).)*

**20. ADDITIONAL RELIEF**

Plaintiff requests additional relief as may be proper.

21. Number of pages attached: \_\_\_\_\_

*(If the plaintiff is represented by an attorney, the attorney's signature follows):*

Date:

_____ (TYPE OR PRINT NAME)	_____ (SIGNATURE OF ATTORNEY)
-------------------------------	----------------------------------

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

_____ (TYPE OR PRINT NAME)	_____ (SIGNATURE OF PLAINTIFF)
-------------------------------	-----------------------------------

_____ (TYPE OR PRINT NAME)	_____ (SIGNATURE OF PLAINTIFF)
-------------------------------	-----------------------------------

**(This is not a Court Order)**



ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name and state bar number, if attorney</i> ):	<b><i>FOR COURT USE ONLY</i></b>
ADDRESS WHERE YOU WANT MAIL SENT:	
TELEPHONE NO. ( <i>Optional</i> ): FAX NO. ( <i>Optional</i> ):	
E-MAIL ADDRESS ( <i>Optional</i> ):	
ATTORNEY FOR ( <i>Name</i> ):	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>	
STREET ADDRESS:	
MAILING ADDRESS:	
CITY AND ZIP CODE:	
BRANCH NAME:	
PLAINTIFF:	
DEFENDANT:	
<b>ORDER AFTER HEARING ON PETITION FOR INJUNCTION PROHIBITING CIVIL HARASSMENT (CLETS)</b>	
	Judge:
	Dept.:

1. **THIS ORDER, EXCEPT FOR AWARD OF ATTORNEY FEES AND COSTS, SHALL EXPIRE AT MIDNIGHT ON**  
**(date):** **IF NO DATE IS PRESENT, THIS ORDER EXPIRES 3 YEARS FROM THE DATE OF ISSUANCE.**
2. This proceeding came on for hearing as follows:

Date:	Time:	Dept.:	Room:
-------	-------	--------	-------

3. Judicial officer (*name*): ☐ Temporary judge
4. a. ☐ Plaintiff present ☐ Attorney present (*name*):
- b. ☐ Defendant present ☐ Attorney present (*name*):

## THE COURT FINDS

5. a. The defendant is (*name*):
- Sex: ☐ M ☐ F Ht.: \_\_\_\_ Wt.: \_\_\_\_ Hair Color: \_\_\_\_ Eye Color: \_\_\_\_ Race: \_\_\_\_ Age: \_\_\_\_ Date of Birth: \_\_\_\_
- b. The protected person is (*name*):
- Sex: ☐ M ☐ F Date of Birth (*optional*): \_\_\_\_
- c. Protected family or household members who reside with the protected person are:
- (1) (*Name*):
- Sex: ☐ M ☐ F Date of Birth (*optional*): \_\_\_\_
- (2) (*Name*):
- Sex: ☐ M ☐ F Date of Birth (*optional*): \_\_\_\_
- (3) (*Name*):
- Sex: ☐ M ☐ F Date of Birth (*optional*): \_\_\_\_

☐ Additional protected persons are listed on a separate page designated as Attachment 5c.

PLAINTIFF (Name):  DEFENDANT (Name):	CASE NUMBER:
--	--------------

6. After the hearing on the petition, **IT IS ORDERED THAT DEFENDANT**

- a. **shall not** contact, molest, harass, attack, strike, threaten, sexually assault, batter, telephone, communicate by any means (including mail, fax, or e-mail), follow, stalk, destroy the personal property of, disturb the peace of, keep under surveillance, or block movements in public places or thoroughfares of

☐ the person seeking the order and ☐ the other protected persons listed in item 5c.

- b. ☐ **shall** stay at least (*specify*): \_\_\_\_\_ yards away from the following protected persons and places:

- (1) ☐ Person seeking the order
- (2) ☐ The other protected persons listed in item 5c
- (3) ☐ Residence of person seeking the order
- (4) ☐ Place of work of person seeking the order
- (5) ☐ The children's school or place of child care
- (6) ☐ The protected persons' vehicles
- (7) ☐ Other (*specify*):

7. ☐ **OTHER ORDERS** (*specify*):

8. **MANDATORY FIREARM RELINQUISHMENT**

The restrained person must surrender to local law enforcement or sell to a licensed gun dealer any firearm in or subject to his or her immediate possession or control within

- a. ☐ 24 hours after issuance of this order (if restrained person is present at hearing).
- b. ☐ 48 hours after service of this order (if restrained person is not present at hearing).
- c. ☐ other (*specify*):

The restrained person shall file a receipt with the court showing compliance with this order within 72 hours of receiving this order.

PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

**9. SERVICE OF ORDER ON LAW ENFORCEMENT**

By the close of business on the date of this order, a copy of this order and any proof of service shall be delivered to the law enforcement agencies listed below by:

- a. ☐ plaintiff  
b. ☐ plaintiff's attorney:

Law Enforcement Agency

Address

**10. SERVICE OF ORDER ON DEFENDANT**

Plaintiff must cause a copy of this order to be served on the defendant.

**11. NO FEE FOR SERVICE OF ORDER**

- ☐ The sheriff or marshal shall serve this order on the defendant without requiring plaintiff to pay any fee.  
(a) ☐ Plaintiff qualifies for a fee waiver. Law enforcement shall serve the order without charging a fee.

**-or-**

- (b) ☐ The plaintiff has not qualified for a fee waiver, but the sheriff or marshal shall serve this order without prepayment of fee, under Government Code section 6103.2.

Date:

JUDICIAL OFFICER

This order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this restraining order are subject to criminal penalties.

**NOTICE REGARDING FIREARMS**

**Any person subject to a restraining order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000 fine and imprisonment.**

[SEAL]

**CLERK'S CERTIFICATE**

I certify that the foregoing *Order After Hearing on Petition for Injunction Prohibiting Civil Harassment (CLETS)* is a true and correct copy of the original on file in the court.

Date:

Clerk, by \_\_\_\_\_, Deputy

NAME OF PARTY OR ATTORNEY (and state bar number if attorney): ADDRESS WHERE YOU WANT MAIL SENT:  TELEPHONE NUMBER (Optional):                      FAX NUMBER (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FOR COURT USE ONLY
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF:  DEFENDANT:	
<b>PROOF OF PERSONAL SERVICE (Harassment)</b>	
CASE NUMBER:	

### PERSONAL SERVICE

**Instructions:** After having the other party served with any of the documents identified in item 1, have the person who served the documents complete this Proof of Personal Service. Give the completed Proof of Personal Service to the clerk for filing. Neither the plaintiff nor the defendant can serve these papers.

1. I served a copy of the following documents (check the box before the title of each document you served):

- a. ☐ Order to Show Cause (Harassment)  
☐ and Temporary Restraining Order (CLETS)
- b. ☐ Petition for Injunction Prohibiting Harassment  
☐ Application for Temporary Restraining Order
- c. ☐ blank Response to Petition for Injunction Prohibiting Harassment
- d. ☐ Instructions for Lawsuits to Prohibit Harassment
- e. ☐ Order After Hearing on Petition for Injunction Prohibiting Harassment (CLETS)
- f. ☐ completed Response to Petition for Injunction Prohibiting Harassment
- g. ☐ other (specify):

2. Person served (name):

3. By personally delivering copies to the person served, as follows:

- a. Date:
- b. Time:
- c. Address:

4. At the time of service I was at least 18 years of age and **not a party to this cause.**

- a. Name:
- b. Telephone:
- c. Address:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> (TYPE OR PRINT NAME)		<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> (SIGNATURE)
--	--	---

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name and state bar number, if attorney):</i>  ADDRESS WHERE YOU WANT MAIL SENT:  TELEPHONE NO. <i>(Optional):</i> E-MAIL ADDRESS <i>(Optional):</i> ATTORNEY FOR <i>(Name):</i>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF:  DEFENDANT:	
<div style="text-align: center;"> <b>ORDER TO SHOW CAUSE (Civil Harassment)</b>  <input type="checkbox"/> <b>and Temporary Restraining Order (CLETS)</b> </div>	CASE NUMBER:  Judge: Dept.:

**THIS ORDER SHALL EXPIRE AT THE DATE AND TIME OF THE HEARING SHOWN IN THE BOX BELOW UNLESS EXTENDED BY THE COURT.**

1. **To defendant *(name):***
2. **A court hearing has been set at the time and place indicated below:**

Date:	Time:	Dept.:	Room:
-------	-------	--------	-------

3. ***You have the right to attend the court hearing, with or without an attorney, to give any legal reason why the orders requested in the attached petition should not be granted. NOTICE: If you do not attend the hearing, the court may grant the requested orders without further notice to you. Restraining Orders may last up to 3 years.***

### TEMPORARY RESTRAINING ORDER

#### THE COURT FINDS

4. a. The defendant is *(name):*  
 Sex: ☐ M ☐ F Ht.: \_\_\_\_ Wt.: \_\_\_\_ Hair Color: \_\_\_\_ Eye Color: \_\_\_\_ Race: \_\_\_\_ Age: \_\_\_\_ Date of Birth: \_\_\_\_
- b. The protected person is *(name):*  
 Sex: ☐ M ☐ F Date of Birth *(optional)*: \_\_\_\_
- c. Protected family or household members who reside with the protected person:
  - (1) *(Name):*  
 Sex: ☐ M ☐ F Date of Birth *(optional)*: \_\_\_\_
  - (2) *(Name):*  
 Sex: ☐ M ☐ F Date of Birth *(optional)*: \_\_\_\_
  - (3) *(Name):*  
 Sex: ☐ M ☐ F Date of Birth *(optional)*: \_\_\_\_

☐ Additional protected persons are listed on a separate page designated as Attachment 4c.

PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

5. **UNTIL THE TIME OF HEARING, THE COURT ORDERS** that the restrained person must **not** do the following things to the protected person ☐ and to the other protected persons listed in item 4c:
- a. ☐ harass, molest, attack, strike, threaten, sexually assault, batter, follow, stalk, destroy the personal property of, disturb the peace of, keep under surveillance, or block movements in public places or thoroughfares.
  - b. ☐ contact, telephone, or communicate by any means (including mail, fax, or e-mail) ☐ except for peaceful written contact through a process server or other person for legal papers related to a court case.

6. **UNTIL THE TIME OF THE HEARING, THE COURT ORDERS** that the restrained person **must** stay at least **(specify):** \_\_\_\_\_ yards away from the following protected persons and places:

*(The addresses of these places are optional; you do not have to provide them.)*

- (1) ☐ Person seeking the order
- (2) ☐ The other persons listed in item 4c
- (3) ☐ Residence of person seeking the order
- (4) ☐ Place of work of person seeking the order
- (5) ☐ The children's school or place of child care
- (6) ☐ The protected persons' vehicles
- (7) ☐ Other *(specify)*:

7. ☐ **OTHER ORDERS** *(specify)*:

8. **MANDATORY FIREARM RELINQUISHMENT**

The restrained person must surrender to local law enforcement or sell to a licensed gun dealer any firearm in or subject to his or her immediate possession or control within

- a. ☐ 24 hours after issuance of this order (if restrained person is present at hearing).
- b. ☐ 48 hours after service of this order (if restrained person is not present at hearing).
- c. ☐ other *(specify)*:

The restrained person shall file a receipt with the court showing compliance with this order within 72 hours of receiving this order.

9. **SERVICE OF ORDER ON LAW ENFORCEMENT**

By the close of business on the date of this order, a copy of this order and any proof of service shall be delivered to the law enforcement agencies listed below by:

- a. ☐ plaintiff
- b. ☐ plaintiff's attorney:

Law Enforcement Agency

Address

PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

**10. SERVICE ON DEFENDANT**

- a. The following documents **must be personally served** on the defendant:
- (1) *Order to Show Cause and Temporary Restraining Order (Harassment)* (form CH-120)
  - (2) *Petition for Injunction Prohibiting Civil Harassment* (form CH-100)
  - (3) *Blank Response to Petition for Injunction Prohibiting Harassment* (form CH-110)
  - (4) *Instructions for Lawsuits to Prohibit Harassment* (form CH-150)
  - (5) Other (specify):
- b. Proof of service of the documents must be served and filed with the court before the hearing.

**11. ORDER SHORTENING TIME**

- ☐ Application for an order shortening time is granted and the documents listed in item 9 must **be personally served** on the defendant no fewer than (specify number): \_\_\_\_\_ days before the time set for hearing.

**12. NO FEE FOR FILING**

- ☐ Filing fees for the filing of this action are waived under Code of Civil Procedure section 527.6(o).

**13. NO FEE FOR SERVICE OF ORDER**

- a. ☐ The sheriff or marshal shall serve this order on the defendant without requiring plaintiff to pay any fee.
- (1) ☐ Plaintiff qualifies for a fee waiver. Law enforcement shall serve the order without charging a fee.
- or-
- (2) ☐ The plaintiff has not qualified for a fee waiver, but the sheriff or marshal shall serve this order without prepayment of fee under Government Code section 6103.2.

Date: \_\_\_\_\_

JUDICIAL OFFICER

This order is effective when made. It is enforceable in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, the agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this restraining order are subject to criminal penalties.

**NOTICE REGARDING FIREARMS**

**Any person subject to a restraining order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000 fine and imprisonment.**

[SEAL]

**CLERK'S CERTIFICATE**

I certify that the foregoing *Order to Show Cause (Civil Harassment)* and *Temporary Restraining Order (CLETS) (Civil Harassment)* is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**I respond to the *Petition for Injunction Prohibiting Harassment* as follows:**

- Page 1 of 2



PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

6. ☐ **KNOWING AND WILLFUL CONDUCT**

My acts, if any, did not amount to a course of conduct knowingly and willfully directed against plaintiff.

7. ☐ **OTHER DEFENSES**

I have other defenses (specify):

8. ☐ **OTHER ORDERS**

- a. ☐ I consent to the other orders requested in the petition.
- b. ☐ I do not consent to the orders requested in the petition.
- c. ☐ I consent to the following orders (specify):

9. ☐ I request the court to order

- a. ☐ reasonable attorney fees and costs.
- b. additional relief as may be proper.

10. ☐ An injunction should not be granted for the following additional reasons (specify):

11. ☐ **SUPPORTING INFORMATION:**


☐ (If more space is needed, check the box and add additional pages as Attachment 11.)

12. ☐ I am not required to pay a fee for filing this response because plaintiff's petition alleges that I have inflicted or threatened violence against the plaintiff, or stalked the plaintiff, or acted or spoken in any other manner that has placed the plaintiff in reasonable fear of violence, and seeks a protective or restraining order or injunction restraining stalking or future threats of violence under Code of Civil Procedure section 527.6.

13. ☐ Number of pages attached: \_\_\_\_\_

..... (TYPE OR PRINT NAME)  \_\_\_\_\_ (SIGNATURE OF ATTORNEY)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: ..... (TYPE OR PRINT NAME)  \_\_\_\_\_ (SIGNATURE OF DEFENDANT)

1. I ask the sheriff or marshal to serve the restraining order for free because *(check either item a or b)*:

a. ☐ I asked for a restraining order on form DV-100.

b. ☐ I asked for a restraining order on form CH-100, and my request was based on my fear of *(you must check at least one box)*

(1) ☐ sexual assault

(2) ☐ stalking

Date:

(TYPE OR PRINT YOUR NAME)

(SIGN YOUR NAME)

3. The court reviewed the protected person's request and finds that *(check one box only)*:

- a. ☐ The protected person qualifies for a fee waiver.\*
- b. ☐ The protected person does not qualify for a fee waiver. \*\*
- c. The order (DV-110 or DV-130 or CH-120 or CH-140 and referenced documents) can be served by the sheriff or marshal without cost to the protected person.

Date:

☐ CLERK, by \_\_\_\_\_, Deputy  
(Clerk may grant in full a nondiscretionary fee waiver, see Cal. Rules of Court, rule 985(d).)

— or —

☐ \_\_\_\_\_  
JUDICIAL OFFICER

**The sheriff or marshal will fill in box below and return a copy of this form to the court listed above.**

Service of the order was attempted or made on (date): \_\_\_\_\_ Fee: \$ \_\_\_\_\_

\* The protected person qualifies for a fee waiver under rule 985 of the California Rules of Court.

**\*\* NOTICE to Law Enforcement:** Government Code section 6103.2(b) allows the sheriff or marshal to bill the court **ONLY** for orders or injunctions described in subdivision (p)(1) of Code of Civil Procedure section 527.6. The sheriff or marshal may bill the court for service only if box 3(b) is checked above.

## INSTRUCTIONS FOR LAWSUITS TO PROHIBIT HARASSMENT

Under California law (Code of Civil Procedure section 527.6), courts can make orders to protect people from being harassed by others. These orders will be enforced by law enforcement agencies.

The person asking for these orders is called the "plaintiff." The plaintiff needs to file a petition in superior court against the other person ("defendant") to get these orders. There will be a court hearing within 15 days of the filing. The plaintiff can sometimes get a temporary court order against the defendant even before the hearing.

This instruction booklet tells what court orders a victim of harassment can get and how to get them. It also includes directions for a person charged with harassment.

These instructions cannot cover all of the problems and questions that may arise in a particular case. If you do not know what to do to protect your rights, you should see an attorney.

## GENERAL INFORMATION

### Who can get orders prohibiting harassment?

Most people who are victims of harassment can ask the court for these orders. A person may seek protection under this law if:

- (1) the defendant's conduct is *intentional*; and
- (2) the defendant has done a *series of acts* (more than one) which seriously alarms, annoys, or harasses the plaintiff; and
- (3) plaintiff has suffered a lot of emotional distress; and
- (4) the defendant's conduct has no legitimate reason and is not protected by the constitution.

The court may require the losing party—whether the plaintiff or defendant—to pay the winning parties court costs and attorney fees.

### What do you need to get the court orders or to object to them?

1. Harassment forms, available from the court clerk's office or legal publishers. The clerk can tell you where to get the forms. You can also obtain them on the Judicial Council's website:  
<http://www.courtinfo.ca.gov/forms/>.
2. You may need a typewriter to fill out the forms. Ask the clerk. If there is a requirement that the forms be typed, some women's shelters and volunteer legal service groups have typewriters you can use. In some libraries you can use a typewriter for a small fee. If you do not type, print clearly.
3. Money for a court filing fee unless the petition is exempt. You are not required to pay a filing fee if the petition alleges that the defendant has inflicted or threatened violence against the plaintiff, or stalked the plaintiff, or acted or spoken in any other manner that has placed the plaintiff in reasonable fear of violence. If you cannot afford to pay the court filing fee, ask the clerk for the *Information Sheet on Waiver of Court Fees and Costs*.
4. Someone, other than yourself, 18 years of age or older, to deliver (**serve**) certain papers to the other party.

### What forms are to be used for suing under the harassment law and for opposing those suits?

1. *Petition for Injunction Prohibiting Harassment* [**Petition**]. This form tells the judge the facts of the plaintiff's case and what orders the plaintiff wants the court to make. This form is **mandatory**, i.e., it must be used to petition for injunctive relief.

2. *Order to Show Cause [OSC] and Temporary Restraining Order [TRO]*. The **OSC**, when signed by the judge, tells the defendant to come to court for the hearing. It may include one or more temporary orders (**TRO**) which take effect immediately and stay in effect until the hearing.
3. *Response to Petition for Injunction Prohibiting Harassment* [**Response**]. The defendant must complete and file this **mandatory** form to object to the orders the plaintiff has requested and to give his or her side.
4. *Order After Hearing on Petition for Injunction Prohibiting Harassment* [**Order**]. This is the form signed by the court following the hearing. The order will stay in effect for up to three years depending on what the judge rules.
5. *Proof of Personal Service (Harassment) and Proof of Service by Mail (Harassment)*. These forms are used to show that the other party has been **served** with the legal documents as required by law.

### Should you see a lawyer?

You have the right to file or defend the suit and to go to court with or without an attorney. You should seek the advice of an attorney since any lawsuit may involve technical problems that cannot be explained in a printed form. Whether or not you have an attorney, the other party may have one.

You may hire a lawyer to represent you, but you can also just visit a lawyer for advice. Do not be afraid to ask the lawyer in advance what the fee will be. After hearing about your personal situation, an attorney can help by advising whether a civil harassment order is the best protection or what defenses, if any, exist to the orders requested.

Ask friends and co-workers and check the yellow pages of your telephone book under "Attorneys" or "Attorney Referral Services" for organizations that can help you find a lawyer. You can get information about free or low-cost legal services through the bar association in your county. In some areas, you can also call a women's shelter for recommendations. In many cases you can find an attorney who charges either no fee or a small fee for your first visit, but you may need to call several attorneys and compare fees and services. In some areas, there are groups (clinics or agencies) that will help you fill out the forms.

## INSTRUCTIONS FOR THE PLAINTIFF

### What steps need to be taken to get the court orders?

1. You will need at least five copies of each harassment form: one for a worksheet, the original to file with the court, a copy to be personally delivered (**served**) on the defendant and two copies for yourself. In addition, you will need extra copies of the **OSC**, the **Order**, and the **Proof of Service** form. Get one for

each law enforcement agency you want to enforce your orders, and two extras for yourself.

2. Fill in the **Petition** and the **OSC** except for the date of the court hearing and the judge's signature. (Reminder: courts may require that the forms be typewritten.)

- a. If you are not represented by an attorney, fill in your name, mailing address, and phone number at the top of each form. If you do not want to disclose your home or work address or phone number, you may use an address or phone number where you will be able to receive any communications. You may, but are not required to, provide a fax number or e-mail address where you may be contacted.
  - b. Fill in the name of the county where the action will be filed and the address of the superior court.
  - c. Type your full name and the defendant's full name.
  - d. Check ("X") all boxes that apply to your case. Read each item carefully and fill in the necessary information. Be specific.
  - e. Remember to date and sign the **Petition**.
3. If you are requesting a temporary restraining order, you must give the details of the recent acts of harassment and the problems they have caused you. Place an "X" in the box in the caption marked "Application for Temporary Restraining Order."
  4. Take all your completed forms and all copies to the clerk's office in the superior court. The clerk will tell you where to take your papers and when to pay your filing fee, if required.
  5. If the judge signs the **OSC**, take the original and all copies back to the court clerk. The clerk will stamp all the papers with a case number. The copies will be stamped with an "Endorsed-Filed" stamp (showing the date of filing), the judge's signature, and the date of signing. The clerk will file the originals and give you the copies. **KEEP TWO ENDORSED-FILED COPIES FOR YOURSELF**. Carry one with you and keep one in a safe place. You may need one if you have to call the police.
  6. Have the defendant personally **served** with copies of the **Petition**, **OSC**, and a blank copy of the **Response**. You *cannot* serve the defendant yourself. Service may be made by a licensed process server, the sheriff's department, or any person 18 years of age or older, other than you.

## INSTRUCTIONS FOR THE DEFENDANT

1. If you are served with an *Order to Show Cause (Harassment)* [**OSC**] and a *Petition for Injunction Prohibiting Harassment* [**Petition**], you should promptly seek legal advice. If you have no attorney, the attorney's reference service of your local bar association may be of assistance.
  2. Whether or not you choose to consult an attorney, you should read this entire instruction booklet and other documents you have received.
  3. Read the papers served on you very carefully. The *Order to Show Cause* [**OSC**] tells you when to appear in court and may contain temporary orders forbidding you from doing certain things. **If you disobey the court's orders, criminal charges may be filed against you.**
  4. If you wish to oppose the **Petition**, or make your own request for court orders, you must file a *Response to Petition for Injunction Prohibiting Harassment* [**Response**].
- Service** is very important. It tells the defendant about the order and the hearing. Without it there will not be a court hearing and your temporary orders will no longer be good unless they are extended by the court. The defendant must be personally served at least five days before the hearing—unless the court, for good cause, on motion of the plaintiff or on its own motion, shortens the time for service on the defendant.
7. If you have requested any temporary orders and the judge has granted them, get copies stamped with an "Endorsed-Filed" stamp and immediately deliver an Endorsed-Filed copy of the **TRO** to each law enforcement agency (police, marshal, or sheriff's office) that you want to enforce the order.
  8. After the defendant has been personally **served**, the person who served the defendant must complete and sign the original of the **Proof of Personal Service** form. You should take the signed original and the copies back to the court clerk. The clerk will file the original and stamp "Endorsed-Filed" on the copies. Take one of the Endorsed-Filed copies to each of the law enforcement agencies where you filed your **TRO**. Keep two Endorsed-Filed copies for yourself.
  9. Go to the court hearing with any evidence you might have. The **Order** should be filed in and given to the judge for signing. If there are any witnesses to the defendant's conduct or your emotional distress they should also be there.
  10. If the judge signs the **Order**, file the original with the clerk, get the copies stamped with an "Endorsed-Filed" stamp, and immediately deliver copies to law enforcement agencies.  
If the defendant was not present in court for the hearing, arrange to have defendant personally **served** with a copy of the order. File the completed **Proof of Personal Service** with the court and deliver copies stamped "Endorsed-Filed" to law enforcement agencies. **KEEP TWO COPIES FOR YOURSELF**. Carry one with you and keep one in a safe place.
- In addition to the **Response**, you may file and serve declarations signed by persons who have personal knowledge of the facts. If you do not know how to prepare a declaration, you should see an attorney. After you have filed the **Response** with the court clerk, a copy must be delivered personally or by mail to the plaintiff or the plaintiff's attorney.
- You cannot serve the plaintiff yourself. The person should complete and sign a *Proof of Service (Harassment)* form. You should take the completed form back to the court clerk or bring it with you to the hearing.
5. If you wish to oppose the lawsuit, you should file a **Response** and also be present at the hearing. If you have any witnesses, they must also be present.
  6. If you wish to file a cross-complaint against the plaintiff for harassing you, you must file a completed form called *Petition for Injunction Prohibiting Harassment* [**Petition**].

The next three pages show a **Petition** which has been completed with examples of the kind of information a court is likely to want.

If you are not represented by an attorney, fill in your name, mailing address, and phone number at the top of each form.

If you do not want the defendant to know where you are living, you can use a friend's address and telephone number. Be sure you can be contacted with the information you put in this box.

Court where you are filing your case. Call the court clerk if you do not know the address.

Your full name.

The full name of the person you want the orders against.

Check this box if you are asking for orders to go into effect immediately when the **TRO** is signed by the judge. You will also need to check the box at item 13 and give the necessary information.

Insert your name in item 1 and the names and descriptions of the other persons to be protected in item 2.

Insert the name, description, and other information about the defendant in item 3.

Put an "X" in all the boxes that apply to you in items 4 and 6.

Describe how you know the defendant in item 5.

The court clerk will give you this number. Use it on all forms you file later.

After this form is filed, the clerk will stamp this box on the copies so everyone knows it is a copy of an official paper. This is the place for the "Endorsed-Filed" stamp.

<b>CH-100</b>	
<small>NAME OF PARTY OR ATTORNEY (and state bar number if attorney):</small> Terry Roe <small>ADDRESS WHERE YOU WANT MAIL SENT:</small> P.O. Box 500 Anytown, California 91234 <small>FAX NUMBER (Optional):</small> <small>E-MAIL ADDRESS (Optional):</small> <small>ATTORNEY FOR (Name):</small> In Pro Per	<small>TELEPHONE NUMBER (Optional):</small>  <small>FOR COURT USE ONLY</small>
<small>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</small> Any County <small>STREET ADDRESS:</small> 100 Elm Street <small>MAILING ADDRESS:</small> P.O. Box 109 <small>CITY AND ZIP CODE:</small> Anytown, California 91235 <small>BRANCH NAME:</small>	
<small>PLAINTIFF:</small> Terry Doe  <small>DEFENDANT:</small> Pat Roe	
<b>PETITION FOR INJUNCTION PROHIBITING HARASSMENT</b> <input checked="" type="checkbox"/> <b>Application for Temporary Restraining Order</b>	
<small>CASE NUMBER:</small>	

**(THIS IS NOT AN ORDER)**

*Read the Instructions for Lawsuits to Prohibit Harassment (form CH-150) before completing this form.*

1. Plaintiff (name each): Terry Doe

2. ☒ OTHER PERSONS TO BE PROTECTED (List names and ages of all family or household members who reside with plaintiff and are to be protected by the requested orders and their relationship to plaintiff):

Name	Age	Relationship to plaintiff
Mary Doe	9	Daughter
John Doe	6	Son

3. a. Defendant (name): Pat Roe

Sex: ☒ M ☐ F Ht.: 6' Wt.: 190 Hair color: Br Eye color: Br Race: White Age: 51 Date of birth: 2/10/51

b. Defendant's residence address (if known):  
555 Fifth Street  
Anytown, California 94124

c. Defendant's work address and name of business (if known):  
Apex Industries  
9420 Commercial Street  
Anytown, California 94125

4. This action is filed in this county because

a. ☐ defendant resides in this county.

b. ☒ defendant has caused physical or emotional injury to plaintiff in this county.

c. ☐ other (specify):

5. Describe how plaintiff knows defendant (e.g., landlord/tenant, neighbor, etc.):  
Defendant is a former neighbor.

6. Defendant has

a. ☒ threatened to commit acts of violence against plaintiff as described in item 10.

b. ☐ committed acts of violence against plaintiff as described in item 10.

c. ☐ not threatened to commit and has not committed any acts of violence.

Form Adopted for Mandatory Use  
Judicial Council of California  
CH-100 [Rev. July 1, 2001]

**PETITION FOR INJUNCTION PROHIBITING HARASSMENT**  
**(CIVIL HARASSMENT)**

Page 1 of 4  
Code of Civil Procedure, § 527.6

Fill this in.

Leave this blank.

Item 10 is the most important part of your petition. This information is all the judge will know about your case until the hearing. Give details of the most recent incidents.

If you have so many facts that they will not all fit, put an "X" in this box and write the facts on a separate piece of paper and attach it at the end of your petition.

Put an "X" in the boxes that apply to your case. Leave the boxes empty if they do not apply to your case.

You do not need to give specific addresses in item 12. However, it may be easier for the police to enforce your orders if they know the defendant knows the addresses to stay away from.

PLAINTIFF (Name): Terry Doe	CASE NUMBER:
DEFENDANT (Name): Pat Roe	

7. Defendant has committed a series of acts that seriously alarm, annoy, or harass plaintiff as described in item 10.

8. Plaintiff has actually suffered substantial emotional distress as a direct result of defendant's conduct described in item 10, and defendant's conduct would have caused a reasonable person to suffer substantial emotional distress.

9. Defendant's continuing course of conduct has been directed specifically against plaintiff and is knowing, willful, not constitutionally protected, and without legitimate purpose.

10. **DESCRIPTION OF CONDUCT**  
Describe in detail the harassment (including the dates, who did what to whom, and any injuries):  
Defendant and I are former neighbors. Two months ago I had to move because defendant kept making physical threats against me and blocked my passage into my house. On the morning of January 10, 2002, as I was leaving my home with my son and daughter, we saw the defendant in front of the house in the act of slashing the tires on my car. When he saw us, he yelled physical threats at me. Since I've moved, defendant constantly follows me and phones me at all hours of the day and night. On May 15, 2002, defendant followed me to a restaurant where I was having dinner with a friend. Defendant kept calling me names and threatened to "cut me to pieces." Defendant left before the police got there. On May 18, 19, and 20, 2002, defendant called me at work at least 45 times each day. I can't do my job because of the constant interruptions. I've had to go to the doctor for medication to calm to calm my nerves. I've lost weight and can't sleep at night.

☐ (If more space is needed, check the box and add additional pages as Attachment 10.)

**PLAINTIFF REQUESTS THE COURT TO MAKE THE ORDERS INDICATED BY THE CHECK MARKS IN THE BOXES BELOW.**

11. ☒ **PERSONAL CONDUCT ORDERS** ☒ To be ordered now and effective until the hearing.  
Defendant must not contact, molest, harass, attack, strike, threaten, sexually assault, batter, telephone, send any messages to, follow, stalk, destroy any personal property, disturb the peace, keep under surveillance, or block movements in public places or thoroughfares, or otherwise harass plaintiff ☒ and the other protected persons identified in item 2.

12. ☒ **STAY-AWAY ORDERS** ☒ To be ordered now and effective until the hearing  
a. Defendant must stay at least (specify): 150 yards away from the following persons and places (the addresses of the places are optional and you do not have to reveal them):  
(1) Plaintiff ☒ and the other protected persons identified in item 2.  
(2) ☒ Plaintiff's residence (address optional):  
(3) ☒ Plaintiff's place of work (address optional):  
(4) ☒ Plaintiff's children's school or place of child care (address optional):  
(5) ☒ Plaintiff's vehicle (specify): 1998 Green Ford Sedan (Lic. No.: 9NQR321)  
(6) ☐ Other (specify):

Whenever you check these boxes, you are asking for the order to go into effect immediately, as soon as the TRO is signed by the judge. You will also need to check the box at item 10 and give the necessary information.

Fill this in.

Leave this blank.

You must check one of the boxes in item 12b.

If you are asking for the orders to go into effect immediately, as soon as the judge signs the **TRO**, you *must* check this box and state the reasons. State what harm would result to you if the orders are not made immediately.

In item 14 explain the reasons that the orders should include other persons to be protected.

If you ask for attorney fees and costs, bring receipts or bills for these to your hearing.

This space is where you ask for other orders you need. If you use this space, be sure to put in facts and dates in item 10 of your **Petition** that would give the court a reason to order what you ask for here.

List all the agencies you may want to enforce your order. The court will either tell the clerk to mail copies of the orders to the agencies or direct you or your attorney (if you have one) to deliver them personally.

PLAINTIFF (Name): Terry Doe		CASE NUMBER:
DEFENDANT (Name): Pat Roe		

12. b. Granting any of the stay-away orders

(1) ☒ will **not** interfere with defendant's access to defendant's residence or place of employment.

(2) ☐ will interfere with defendant's access to defendant's residence or place of employment (*explain*):

13. ☒ Plaintiff will suffer great and irreparable harm before this petition can be heard in court unless the court makes the orders requested above effective now and until the hearing (*specify the harm and why it will occur before the hearing*):  
If defendant isn't ordered to stop harassing me immediately, I will lose my job. My employer has threatened me with loss of my job because of the numerous phone calls defendant makes to me. I'm afraid to go anywhere because defendant keeps following me.

14. ☒ There is good cause to include in the orders requested above the other protected persons identified in item 2 (*explain*):  
Defendant's actions, including his threats and slashing of my car tires, have been witnessed by my daughter and son. This has caused them great distress. Defendant should be prohibited from getting near them as well as myself.

15. ☒ **ATTORNEY FEES AND COSTS**  
Plaintiff requests that defendant be ordered to pay plaintiff's attorney fees and costs as follows (*specify*):  
I request \$125 for consultation with an attorney about what I should do to prevent the harassment. I will bring the bill and documents showing payment to the hearing.

16. ☐ **OTHER ORDERS** (*specify other orders you are requesting*):

17. Plaintiff requests that copies of orders be given to the following law enforcement agencies:

<u>Law enforcement agency</u>	<u>Address</u>
Anytown Police Department	100 Oak Street Anytown, California 94123
Any County Sheriff's Department	200 Main Street Anytown, California 94125

CH-100 [Rev. July 1, 2001]**PETITION FOR INJUNCTION PROHIBITING HARASSMENT**  
(CIVIL HARASSMENT)Page 3 of 4



Fill this in.

Leave this blank.

If there have been previous restraining orders, provide information about them in item 18.

Normally, the court requires that the defendant be served at least five days before the hearing. The judge can shorten the time to two days before the hearing. It is a good idea to ask for this when you think the defendant will be hard to find and serve.

Check the box if your **Petition** contains the allegations stated in item 21.

Indicate the number of attached pages in item 22.

If you have an attorney, the attorney's name and signature should be included here.

**Note:** Fill in the **OSC** in the same way as your **Petition** except as follows:

1. Leave item 2 on the **OSC** blank. The court clerk or the judge will insert the date. Your hearing will be within 15 days after the filing of the **Petition**.
2. Do not date or sign the **OSC**.

PLAINTIFF (Name): Terry Doe	CASE NUMBER:
DEFENDANT (Name): Pat Roe	

18. a. ☐ Plaintiff has asked for restraining orders against the defendant before (specify county and case number if known):

b. ☐ Defendant has asked for restraining orders against plaintiff before (specify county and case number if known):

19. Plaintiff requests additional relief as may be proper.

20. ☒ Plaintiff requests that time for service of the **Order to Show Cause** and accompanying papers be shortened so that they may be served no less than (specify number): 2 days before the date set for the hearing. The order shortening time is needed because of the facts contained in this petition. (Add additional facts if necessary):  
I need this hearing as soon as possible. I am afraid to go to work, or to go outside with my family, or to answer the telephone. Because it may be difficult to serve the defendant, I need as much time as possible to serve him before the hearing date.

21. ☒ Plaintiff is not required to pay a fee for filing this petition because the petition alleges that the defendant has inflicted or threatened violence against the plaintiff, or stalked the plaintiff, or acted or spoken in any other manner that has placed the plaintiff in reasonable fear of violence, and seeks a protective or restraining order or injunction restraining talking or future threats of violence under Code of Civil Procedure section 527.6.

22. ☐ Number of pages attached: 0

(If the plaintiff is represented by an attorney, the attorney's signature follows):

Date:

.....  
(TYPE OR PRINT NAME)

.....  
(SIGNATURE OF ATTORNEY)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 29, 2002

.....  
Terry Doe  
(TYPE OR PRINT NAME)

.....  
Terry Doe  
(SIGNATURE OF PLAINTIFF)

.....  
(TYPE OR PRINT NAME)

.....  
(SIGNATURE OF PLAINTIFF)

CH-100 (Rev. July 1, 2001)

PETITION FOR INJUNCTION PROHIBITING HARASSMENT  
(CIVIL HARASSMENT)

Page 4 of 4

**VERY IMPORTANT**

1. The date you sign.

2. Your signature.

**DO NOT FORGET THESE OR ALL YOUR WORK WILL BE WASTED**